



DISCUSSIONS ON COLONIAL  
QUESTIONS



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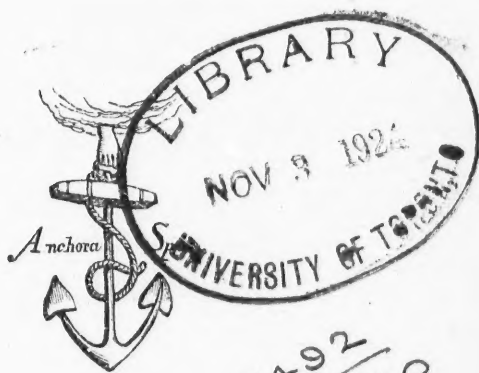
Conference on Colonial Questions,  
London, 1871

DISCUSSIONS ON  
COLONIAL QUESTIONS

Being a Report of the Proceedings of a Conference

HELD AT WESTMINSTER PALACE HOTEL, ON JULY 19TH,  
20TH, AND 21ST, 1871.

Ed. by Edward Jenkins



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## PREFACE.

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THE Conference, the report of the proceedings of which is now published, was held at the Westminster Palace Hotel, on July 19th, 20th, and 21st, 1871. It was termed a "Conference on Colonial Questions," and originated in a desire on the part of several persons taking an interest in those questions, to afford an opportunity for free discussion of them. This was all that was intended by those who first suggested the meetings, and by those whose guarantee made it possible to hold them: nor was it for a moment assumed that the Conference should be other than an open arena to all opinions. No resolutions on the various subjects discussed were submitted to the meetings: no other restrictions than those necessary for the maintenance of order and congruity were laid upon the speakers; and the imputation that there was on the part of any of the promoters or members a desire to give the Conference any special political character is equally uncandid and unjust. The susceptibility which is awakened by public discussions of this kind must be of so morbid a nature as to justify extreme suspicion of its objects; and the committee of

the Conference feel themselves bound to deprecate the reflections upon their motives which have been unwarrantably indulged in by a portion of the British and Colonial press.

The aim of these meetings is best set forth in the circular by which they were called together: their composition may be judged of by the list of guarantors and adherents which follows this preface: and their character is disclosed in the ensuing reports. One passage in the circular was in these words:—

“As it is important that this Conference should be as widely representative as possible, the promoters invite gentlemen of all shades of opinion to lend to the scheme the support of their names and attendance at the meetings. They hope that this effort to bring about, without any foregone conclusion, a free interchange of opinions, and to obtain information from various authoritative quarters, will prove of the utmost utility in future discussions of the important questions designated in the programme.”

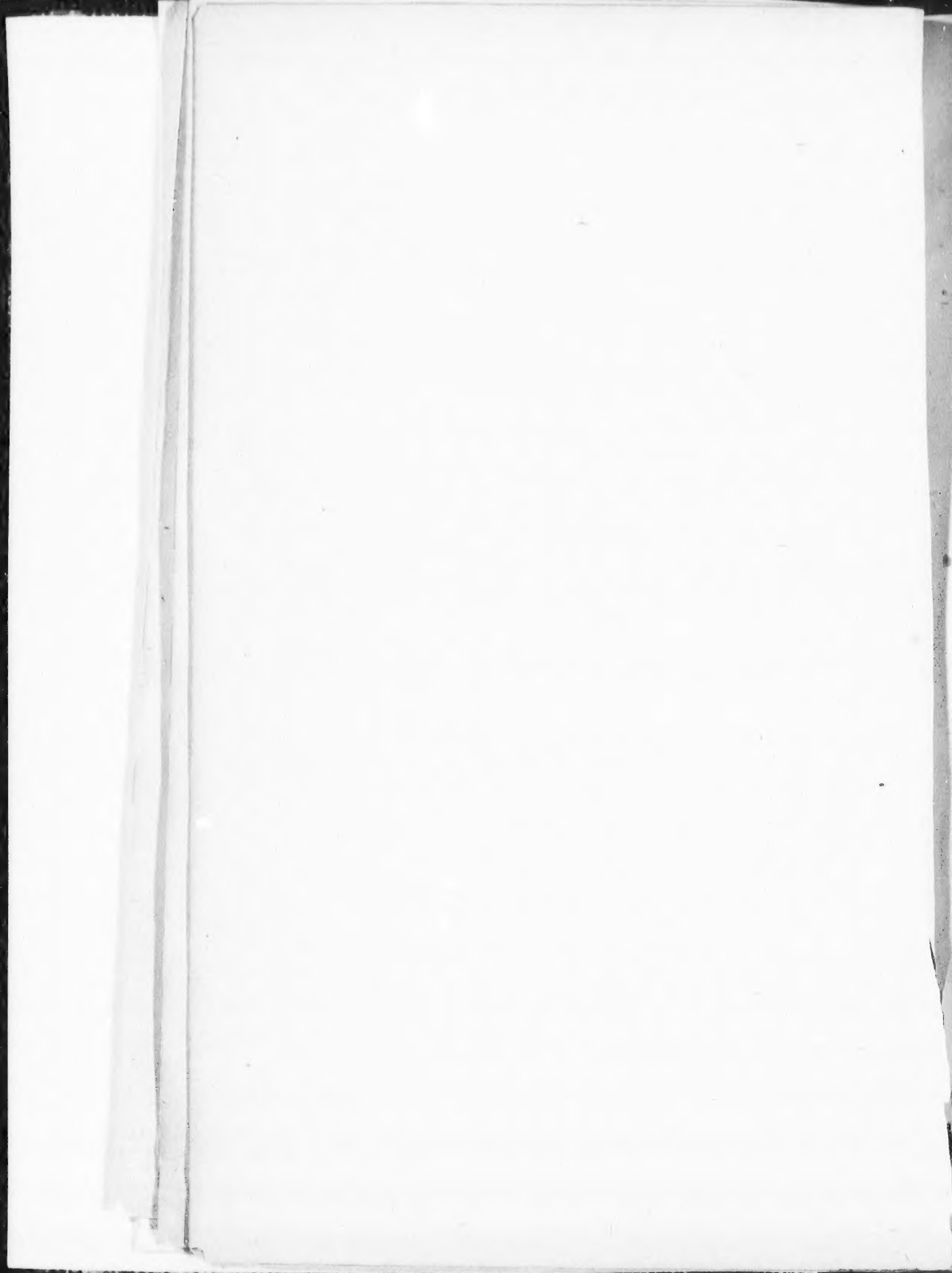
Exception was taken during the meetings to the variety of topics on the programme—to their relevancy and to their practical utility. It is possible that in a first tentative effort of this kind some errors were committed; but, on the whole, no one who reads the proceedings can refuse to admit that contributions of no small value to the Colonial Question were made during the discussions.

It will be seen that, at the final meeting, the Managing Committee was made permanent, with a view of renewing the Conferences from year to year. Meanwhile, I was asked to undertake the editing of the Report. My

labour has simply been to collect the reports of the various papers, as revised by their authors, and to revise the discussions—a labour which has been reduced to a mere feather-weight by the kind collaboration of Mr. F. Labilliere, the Honorary Secretary, and Mr. F. W. Chesson, a member of the Committee.

EDWARD JENKINS.

TEMPLE, *December*, 1871.



The following noblemen and gentlemen put down their names as guarantors of the expenses of the Conference, to the amount of £10 each :—

Sir Daniel Cooper, Bart.; Mr. A. L. Eldon; Lord George Hamilton, M.P.; Mr. Edward Jenkins; Mr. P. Johnstone, Mayor of Belfast; Mr. A. M'Arthur; Mr. W. Miller; Mr. W. Morrison, M.P.; Sir Charles Nicholson, Bart.; Captain Bedford Pim, R.N.; Viscount Sandon, M.P.; Mr. E. Stirling; Mr. A. Strahan; Mr. R. R. Torrens, M.P.; Mr. W. Westgarth; Mr. G. H. Whalley, M.P.; and Mr. Edward Wilson. Mr. C. W. Eddy subscribed £2.

The following noblemen and gentlemen signified their approbation of the Conference, and most of them attended its meetings :—

The Earl of Airlie; Sir John Bowring; Lord Alfred Churchill; Sir Daniel Cooper, Bart.; Lord Eustace Cecil, M.P.; Lord George Hamilton, M.P.; the Earl of Lichfield; the Duke of Manchester; Sir Charles Nicholson, Bart.; Viscount Sandon, M.P.; the Earl of Shaftesbury, K.G.; Lord Wharnccliffe; Sir H. Drummond Wolff; Sir Eardley Wilmot; Sir George Young, Bart; Mr. H. Barnett, M.P.; Mr. T. Brassey, M.P.; Mr. W. T. Charley, M.P.; M. B. Cochrane, M.P.; Mr. Dalrymple, M.P.; Mr. E. B. Eastwick, M.P.; Mr. R. N. Fowler, M.P.; Colonel Gourley, M.P.; Hon. A. Kinnaid, M.P.; M. W. M'Arthur, M.P.; Mr. Morrison, M.P.; Mr. M'Cullagh Torrens, M.P.; Mr. R. R. Torrens, M.P.; Mr. G. H. Whalley, M.P.; Professor Sheldon Amos; the Hon. W. S. Anderson, of Liberia; Mr. Alex. Andrews; Mr. Aug. B. Abraham, New Zealand; Mr. Edmond Beales; Mr. P. W. Bunting; Mr. J. Beaumont; Mr. Andrew Bonar; Mr. F. W. Chesson; Mr. Edward Clarke; Mr. D. Chinery; Mr. David Crombie; Mr. Darnell Davis, Demerara; Mr. A. L. Eldon; Mr. C. W. Eddy; Mr. W. F. V. Fitzgerald; Mr. Joseph Fogerty; Mr. H. Hardcastle;

Mr. W. Henty, late Colonial Secretary of Tasmania; Rev. A. S. Herring; Mr. T. E. Holland; Mr. Morgan Howard; Mr. Edward Jenkins; Mr. B. Jerrold; the Hon. H. W. Johnson, of Liberia; Archdeacon Jones, of Georgetown, Demerara; Mr. Francis P. Labilliere, Victoria; Mr. R. Marsden Latham; Mr. A. M'Arthur; Mr. E. L. O'Malley; Mr. E. Pears, Secretary of the Social Science Association; Mr. George Potter; Captain Bedford Pim, R.N.; Mr. E. Russell Roberts; Dr. Sall; Mr. S. W. Silver; Mr. A. Strahan; Mr. E. Stirling; Mr. H. Stevenson; Mr. W. Westgarth, Victoria; Mr. Edward Wilson, Victoria; Mr. J. Dennistoun Wood, late Attorney-General of Victoria; Mr. H. T. Wadeson; Messrs. Willans, Overbury, and Co.; Mr. Augustus Wolfen; Mr. Frederick Young; and others.

Many others attended and approved of the meetings; but it has been thought better not to include in the above list any but the names of those who have expressly authorised their publication.

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## CONTENTS.

	PAGE
Inaugural Address by Mr. EDWARD JENKINS . . . . .	2
Remarks on Address . . . . .	29
Paper on "Colonies and Colonial Governments," by Professor SHELDON AMOS, M.A. . . . .	37
Discussion . . . . .	49
Paper on "Simple Methods of Land Transfer," by Mr. R. R. TORRENS, M.P. . . . .	53
Discussion . . . . .	68
Paper on "Imperial and Colonial Federalism," by Mr. FRANCIS P. LABILLIERE . . . . .	72
Discussion . . . . .	83
Paper on "Emigration," by Mr. EDWARD CLARKE . . . . .	93
Discussion . . . . .	106
Address on "Facilities for Emigration," by Mr. W. T. McCULLAGH TORRENS, M.P. . . . .	109
Discussion . . . . .	116
Paper on "Coloured Labour in British Colonies," by Mr. F. W. CHESSON . . . . .	120
Discussion . . . . .	135



	PAGE
Paper on "The Satisfactory Settlement of the Colonial Waste- Land Question in 1855, and its Effect on the Imperial Dominium," by Mr. AUGUSTUS B. ABRAHAM. . . . .	141
Discussion . . . . .	169
Paper on "Emigration as seen in Canada," by the Rev. A. STYLEMAN HERRING . . . . .	172
Discussion on "The Colonies as Food Stores for Great Britain" . . . . .	180
Paper on "The Colonial Office: its Constitution and Adminis- tration," by Sir H. DRUMMOND WOLFE, K.C.M.G. . . . .	182
Discussion . . . . .	192
Closing Proceedings . . . . .	197

	PAGE
Colonial Waste-	
the Imperial	
f. . . . .	141
. . . . .	169
the Rev. A.	
. . . . .	172
s for Great	
. . . . .	180
nd Adminis-	
U.M.G.	182
. . . . .	192
. . . . .	197

## CONFERENCE ON COLONIAL QUESTIONS.

### FIRST DAY.

THE Conference opened on Wednesday evening, July 19th, with a *conversazione*. His Grace the DUKE OF MANCHESTER presided, and there were several hundred persons present, amongst whom were—The Earl of Airlie, Sir Charles Nicholson, Bart., Sir George Young, Bart., Sir Charles Clifford, Bart., Lord Sandon, M.P., Mr. McCullagh Torrens, M.P., Mr. G. H. Whalley, M.P., Mr. Macfie, M.P., Mr. Sinclair Aytoun, M.P., Rev. Dr. Guthrie, Professor Sheldon Amos, Col. Strange, Col. Palmer, the Hon. W. S. Anderson (of Liberia), Mr. J. Beaumont (late Chief Justice of Guiana), Mr. Abraham (of New Zealand), the Hon. Mr. Strangways (South Australia), Capt. Bedford Pim, R.N., Rev. D. Lee, Rev. Styleman Herring, Mr. W. Westgarth, Mr. J. Vesey Fitzgerald, Mr. W. F. Vesey Fitzgerald, Sir Benjamin C. C. Pine (Governor of the Leeward Islands), Mr. F. F. Searle, Mr. W. A. Richards, Mr. E. Wilson, Mr. Edward Jenkins, Mr. Francis P. Labilliere, Mr. F. W. Chesson, Mr. F. Young, the Rev. Thos. Phillips (Anti-Slavery Society), Mr. Justice Bruce (Jamaica), Mr. Leonard Courtney, Mr. Edmund Sturge, Mr. William Evans, Mr.

Edward Clarke, Archdeacon Cox (of Tasmania), Mr. Blainé, Mr. Darnell Davis (of Demerara), &c., &c. The press was very largely and influentially represented.

After Mr. FRANCIS P. LABILLIERE, the Hon. Secretary, had briefly referred to the names of a number of noblemen and gentlemen who had sent letters signifying their approbation of the Conference, Mr. EDWARD JENKINS, the Chairman of the Executive Committee, read the

### Inaugural Address.

Not the least notable of the many currents of present-day opinion, is the movement of the public mind in Great Britain and the Colonies on what are called "Colonial Questions." These uneasy fugitives flutter about the Imperial world, vainly seeking a foothold—*questions*, because they are ever in quest of an answer. Yet are these subjects weighty in their importance: they involve matters economical, political, international, social, commercial—such as no nation, and this nation least of all, could afford for any length of time to leave unsettled. It is in view of the gravity of this series of questions, and on the ground that every Briton or colonist is one way or another interested in their solution, that the promoters of this Conference have called together prominent representatives of every interest, class, and phase of opinion, to contribute information or thought upon them.

Before I proceed to a review of the various subjects to be submitted to your judgment, a word should be said about the attitude of those who in England have engaged in the colonial question with so much energy and zeal. It is worth notice that the party they have formed includes elements of singular diversity. Every class, every shade of political opinion, every distinction of

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birthplace and interest, have fraternised in the great object of maintaining the integrity of the Empire. We need not too curiously inquire into their motives: whether they are colonists who foresee for their respective communities innumerable perils and disasters in separation; or Britons, who regard with shame and disquiet the prospect of Imperial dissolution; or economists, who see great national resources endangered, and the openings half closed to an expanding population; or philanthropists, assured that the restriction of British dominion is the restriction of wise, and just, and holy influences over a vast portion of the globe: the honest end of all their labours is to promote happy and enduring peace, indefeasible unity, and the prosperity of every part of the Empire. It seems to me—even setting aside the practical incentives—that men propounding ideas so grand, so unselfish, so full of breadth, nobility, and hope, whatever may be thought of their proposals, deserve at least a generous hearing from their Imperial audience—win the right to be received with patience, and to be criticised without acrimony or scorn. I am sure that I do not assume too much when I say for all those who, in their various and sometimes apparently antagonistic ways, devote themselves to this cause, that theirs is not the attitude of persons desiring to force unnatural or repulsive benefits on any portion of her Majesty's dominions, but to set forth in a fair light, for examination by them all, the difficulties, or disabilities, or perils of the present, the most desirable conditions for the future, and the principles upon which we may proceed to labour in establishing those conditions. Thank God, though we may not agree about means, we cannot disagree about ends. In no division of the Empire, at home or abroad, is there any considerable party that dares to uplift in bold terms the standard of Disruption. A few doctrin-

aires—some economical cuttle-fishes dissipating their inky arguments through the waves of public opinion—some statesmen timorous of defining their aims with candour, yet vaguely hinting at remote and awful contingencies—may have contrived to excite uneasy sensations ; but, in my belief, from London to Montreal, thence to Wellington and Melbourne, thence to Calcutta and Bombay, thence to Capetown, and thence to Honduras, over the magnificent range of these dominions, the heart of the British people is loyal to the conservation of the Empire—the Empire, not for one, but for us all.

I propose to devote the principal part of my address to this supreme question of Imperial unity. But around it circle questions which, compared with anything but it, are of eminent importance. The conditions of society in these islands may well set the observer aghast with apprehension. There seems to be no end to the prolific energy of our race. It is disastrously persistent in inconvenient propagation. Our population increases at the rate of two and a quarter millions in a decade. Our wealth increases with it, but unhappily without equally distributing its benefits among the people. Our pauperism maintains, if it does not extend, its terrible standing. Nearly eight millions is annually cast with vain prodigality into this Curtian Gulf of misery. Its appetite is insatiable, its deep black horrors are enough to send a shudder through heaven. I, for one, am not of those who find in emigration a panacea for the evils of our national condition ; but I do see in it, conducted on national and business principles, vast alleviatory powers ; I do contend that in it lie the seeds of richest blessing for our own people and the Colonies ; I do assert that any act by which the free and facile outpouring of our population to provinces under British rule—and, as far as possible, amalgamated with British social, political, and commercial

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interests—is checked, will be not only a crime, but a blunder; I do look upon it as one of the keys to problems which are alarming economists and prompting our workmen to the logic of the *Commune*; and, lastly, I do propound it as the born right of every Englishman, and therefore of the suffering sons of toil, to have their attainment of the boon which the Colonial Empire offers them facilitated by every effort and sacrifice consistent with economy, justice, and humanity. This question concerns not only ourselves, but the distant provinces to which labour carries development and wealth. They surely are interested in securing that their relations to this country shall be so determined that their society, their lands, their trade shall be looked upon by crowding multitudes as correspondent with their own; and on their part no sacrifice were too great, no pains ill-spent, to keep up the inflow and to secure the ties of so valuable a fellow-citizenship. It is not true that nationality has no influence on emigration. The arguments of Mr. Goldwin Smith and others drawn from the enormous emigration to the United States, are fallacious, for this reason—that a vast proportion of that exodus has been of Irish, and one of the strongest original influences to prompt it in that direction was political discontent. Comparatively with that, a small proportion of Englishmen emigrate to the United States—for them our own Colonies are still their *other home*!

There is no need that I should discuss this question here, since I am happy to say so distinguished an advocate as my friend Mr. M'Cullagh Torrens, M.P., is to introduce it to-morrow evening to the Conference, supported by the able contributions of Mr. Clarke. But I cannot refrain from recalling to you that noble and never-to-be-forgotten passage in Mr. Carlyle's "Past and Present," in which he puts this and education side by

side as two of the great policies of the future. We have obtained the one, it rests with us to work on untiringly for the other:—

“An effective ‘teaching service’ I do consider that there must be, some Education-Secretary, Captain-General of Teachers, who will actually contrive to get us taught. Then, again, why should there not be an ‘emigration service,’ and secretary, with adjuncts, with funds, forces, idle navyships, and ever-increasing apparatus—in fine, an effective system of emigration—so that, at length, before our twenty years of respite ended, every honest, willing workman, who found England too strait, and the ‘organisation of labour’ not yet sufficiently advanced, might find likewise a bridge built to carry him into new Western lands, there to ‘organise’ with more elbow-room some labour for himself? there to be a real blessing, raising new corn for us, purchasing new webs and hatchets from us; leaving us at least in peace, instead of staying here to be a physical-force Chartist, unblest and no blessing! Is it not scandalous to consider that a Prime Minister could raise within the year, as I have seen it done, a hundred and twenty millions sterling to shoot the French; and we are stopped short for want of the hundredth part of that to keep the English living? The bodies of the English living, and the souls of the English living—these two ‘services,’ an education service and an emigration service, these, with others, will actually have to be organised!

“A free bridge for emigrants; why, we should then be on a par with America itself, the most favoured of all lands that have no Government; and we should have, besides, so many traditions and mementoes of priceless things which America has cast away. We could proceed deliberately to ‘organise labour,’ not doomed to perish unless we effected it within year and day—every willing

worker who proved superfluous, finding a bridge ready for him. This verily will have to be done; the time is big with this. Our little isle is grown too narrow for us; but the world is wide enough yet for another six thousand years. England's sure markets will be among new colonies of Englishmen in all quarters of the globe. All men trade with all men, when mutually convenient, and are even bound to do it by the Maker of men. Our friends of China, who guiltily refused to trade, in these circumstances had we not to argue with them in cannon-shot at last, and convince them that they ought to trade? 'Hostile tariffs' will arise, to shut us out; and then again will fall, to let us in; but the sons of England, speakers of the English language, were it nothing more, will in all times have the ineradicable predisposition to trade with England. Mycale was the Pan-Ionian rendezvous of all the tribes of Ion, for old Greece: why should not London long continue the all-Saxon home-rendezvous of all the 'children of the Harz-Rock,' arriving, in select samples, from the Antipodes and elsewhere, by steam and otherwise, to the 'season' here? What a future, wide as the world, if we have the heart and heroism for it, which, by Heaven's blessing, we shall,—

'Keep not standing fixed and rooted,  
Briskly venture, briskly roam;  
Head and hand, where'er thou foot it,  
And stout heart are still at home.  
In what land the sun does visit,  
Brisk are we, whate'er betide:  
To give space for wandering is it  
That the world was made so wide.'

Again, one of the most desirable economic movements that could be furthered by our effort, would be to cheapen and increase the supply of food for the working classes of Great Britain. Those who are conversant with the



Colonies know that they produce in profusion various kinds of substantial food and condiments, which, could our working-classes be induced to adopt them, would enlarge and vary as well as enhance the enjoyment of their meals. Maize, rice, plantains, and cassava are staples of food to vast numbers of the human race, and, with a little enterprise, could be made as familiar at our tables as the potato. I am glad that there is to be a discussion on this important subject during the Conference.

Another question arises out of our Imperial greatness—I mean the question of coloured labour in our tropical possessions. It is a conceded proposition that the development of the illimitable resources of those parts of the Empire can only be accomplished with the aid of tropic-born labourers; and it will, I presume, be also admitted even by the warmest philanthropist, that practically this labour *can only be organised and applied under the direction of Europeans*. But the latter, in the pursuit of quick, large fortunes, have been found, like the whole class of employers throughout the world, apt to set the interest of their labourers at the standard, not of morality, or justice, or even humanity, but of their own profit. Hence we have had slavery, and the horrors of the middle passage, and the Coolie traffic; San Domingo and Jamaica insurrections; the child-apprenticeship of the Dutch Republics of South Africa; and, it is said, wrongs inflicted on unhappy Polynesians by Englishmen. We have wiped away from the shield of Britain the blood of the slave—it will ever be our duty to see that no similar blot shall ever befoul our escutcheon. At this moment vast bodies of Coolies are being transferred from the densely populated communities of India to the West Indies; and in Polynesia the people of Queensland are seeking for immigrants to assist in the hard labour of the cotton or sugar fields. Very strong feelings are enlisted on both

sides of the questions arising out of these relations : and it appears to me that we have arrived at a time when it is important that the truth, on whichever side it lies, should be distinctly ascertained. Therefore I am glad that Mr. Chesson, whose connection with the Aborigines Protection Society is a guarantee that he has studied the question, is to open a discussion upon it—one to which we hope to have the contributions of all who are interested on either side.

To a great race like ours, conspicuously at the head of free nations, yet always eager for improvement in every branch of our polity or economy, it cannot be unimportant that we should perpetually review our home institutions in the light of the newer developments of colonial society or polity; nor can it be of little consequence to those new communities, having drawn the principles of many of their laws from the fountain-head of English jurisprudence, to resort to us for experience in the course of their political development. Indeed, one of the advantages of union between our provinces and ourselves is the reciprocal action between them and us of principles and experiments; and therefore I look forward to the examination of Colonies and Colonial Governments by so competent a hand as my friend Professor Amos as one of the most interesting and valuable contributions to the Conference. When I add that the topic of simplification of methods of land transfer—one likely to excite no small discussion ere long in England—will be treated of by the inventor of the cheap and simple system called the *Torrens system*, Mr. R. R. Torrens himself; that the deeply important question of the constitution and administration of the Colonial Office is to be handled by Sir Drummond Wolff; that Mr. Herring, whose noble labours have won so much of our sympathy and admiration, will relate to us some of the results of his work,

which he was privileged to see with his own eyes in Canada; that Mr. Abraham, an Englishman and New Zealand landowner, will contribute a monograph on the terms on which the Imperial Government granted to the colonists the Imperial lands—I think it is unnecessary to say a word about the importance and the promise of these meetings. We shall welcome a free expression of opinion, within the necessary regulations, having no aim but the discovery of truth, and having faith that truth can never be injured by discussion. So much for the programme; let me now turn to my subject.

Sam Slick, in one of his happiest sallies, compared the British Empire to a *barrel without the hoops*. The more that simile is thought upon, by any who are conversant with the facts and principles of our Imperial Government, the more will it startle the thinker with its graphic truth and power. At this moment I know of no imperial tub that can match this wonderful organism. The barrel of Swiss Confederation is bound round and round with lithe and strengthful hooping: the vast tuns of American and German nationality have been riveted with bands of iron and steel; but this British imperial hogshead, with its mighty staves, bulging, canting, and sprawling over the wide world, alone possesses the form of bulkiness without the power thereof. It is an amazing and humiliating fact, that *there is no man living who can intelligibly define the British Imperial Constitution*. The footing on which several of the most important Colonies stand in relation to Great Britain, is as indefinite and casual as the cohesion of a number of staves in the shape of a tub when the hoops are awanting. To this point I shall ask your attention at some length. On this point I believe the majority of those who have taken a part in calling this Conference together, desire that the thought, the experience, the wishes of men throughout the Empire

should be consulted, at a time when calm and temperate discussion may help to define principles which might be stifled or cast aside in the passions of a political hurricane. For no one can doubt, if the situation is such as I have described it, that the questions involved are of the greatest moment, not alone to us and our children, but to the world and future generations. We, therefore, who see the possibilities that loom before the Empire, offer no excuse for endeavouring to draw from its peoples some expression of opinion—*first*, on the truth or untruth of the perils of the situation; *secondly*, on the nature of the measures to be taken for improvement or security.

We have not to go far to find evidences of a state of our relations closely bordering on the critical.

A great Imperial question is exciting our attention at this period of our national history—I mean the question of military organisation. Am I not bound, in all fairness to the Colonies, to point out that this question has been discussed, and is being legislated upon, with a total disregard to the meaning of the term, “An Imperial Army”—with a careful and seemingly deliberate reticence upon the subject of Imperial requirements—with a narrow, bigoted, and fatal restriction of the reforms to be initiated to the indifferent area and the limited interests of these islands? Is it not idle to select and put forward at the Colonial Office estimable men, to propagate the assurance that statesmen are undyingly loyal to the colonial connection, when in every department of Imperial organisation the Colonies are ignored, their advice is unasked, their co-operation disdained, their concern in such matters hardly even discussed? The Dominion of Canada has enrolled a militia of 300,000 men; the ballot may be put in force among a population to whom time and money are generally more valuable than to the people of England, among whom flourish ideas and institutions as free

as our own. May we not learn something from this Colony? Might we not with advantage embrace within a scheme of "Imperial" military organisation men of such mettle? May we not inhale from them some of that patriotic fire which our statesmen would fain have us believe is dying out in our midst? Ought we not to consult with a people so independent and so strong upon methods of utilising their material, and organising co-operative forces and reserves? It is said to be difficult or impossible to get the Colonies to unite with us in a scheme of Imperial defence. Of course it is impossible upon the terms which appear to be the only ones that suggest themselves to the objectors. We ask what we term a *dependency* to create for itself an army—that is, an army of the dependency. What is the natural, perhaps the intended, conclusion? If it must maintain a separate, not Imperial, army, it may justly say, "Let us have the power and glory of a separate state. We certainly do not intend to maintain a provincial army, officered, manned, and equipped by ourselves, to be applicable to your quarrels, and in times of war subject to your disposition. You do not even offer to put our soldiery on the footing of Imperial troops."

But our rulers seem to have been afraid frankly to propose to our Colonies to grant them a voice in questions of peace or war, in return for their assistance in organising a great Imperial army. The offer of Australian Colonies to pay for British troops, proves that some of them, at least, are not unwilling to entertain any reasonable propositions; and, without doubt, the creation of one Imperial army, instead of these separate organisations, is the most obvious, most cheap, and politic way of establishing an Imperial military system.

On the other hand, the fact is that, professing to give the Colonies independence, the attitude of our Government

has been too much the attitude of a patron or a master—I won't say a petulant mamma. It has put forth no frank, well-considered effort to make them feel that we hold them to be an inalienable part of ourselves. Hence has arisen such a state of relations, that so able a man as Sir George Cornwall Lewis was driven to a paradox—discrediting the advantages of dependencies that were practically independent, and apparently unable to suggest any remedy for the resulting difficulties but the surgical one of amputation.

My drift will be understood by contrasting with our treatment of a Colony the condition and relation to the United States of one of the Territories before it is received into the Union. Whatever measures the Washington Government may deem it necessary to take in the way of coercion or repression, whatever liberty of local government may be accorded, it is perfectly understood from first to last that the Territory is *en pupilage* for State manhood, that the heavens would fall before the Federal Government would abandon its jurisdiction over it. Were New Zealand or Cuba to be annexed to the United States, the conduct of the Federal Government would be regulated by the same principles. The consequence of such a policy is to draw the bonds of union immovably tight, instead of slackening them to the peril of the connection.

It has been a favourite assertion of Mr. Goldwin Smith and his followers that Canada was the great cause of danger of a rupture with the United States, as we have been told to believe that London would be the chief object of German rapacity. Hence they draw the simple conclusion that the sooner we can slip the arm of our Canadian friends and pretend not to know them, the sooner shall we have reduced the chances of a quarrel with a powerful State. By all means then, people of

England, erect London at once into a separate government and tell the Germans that we repudiate her! In recommending that transaction every one will remember how cool was the disregard of Canadian feeling and with how insulting an indifference to the privileges of a loyal people the doctrine was propounded. The absence of political morality involved in the proposition that what is inconvenient is to be abandoned, is unhappily not unique in the arguments of some schools of speculative politicians, and its development in other directions is to be viewed with dismay.

I know no humiliation for a people greater than the decadence of national sentiment; no danger to their permanence or greatness so imminent, as to see them bent, at all events, upon success before honour, on peace at the expense of conscience, on ease to avoid sacrifice. The ignoble fate which has befallen all such nations is to my mind one of the few gratifying compensations of history; one that satisfies with peculiar relish our human instinct of right. Believe me, this sense of national honour is no intangible thing. It is that which prevents a people from sinking down to a community of tradesmen; which promotes some of the best and healthiest activities of its life. I remember an American epigram on Aaron Burr, that he was so mean a man that he had only just enough soul to keep his body from corruption; but such a people is even less living than that. No money incentives can move a nation to such self-strengthening acts as do the clear dictates of national conscience emphatically and boldly pursued. It were better that a nation should utterly perish in the agony of a noble purpose, than languish in a syncope of luxurious indifference to honour, to duty, and to glory.

So much for military organisation. Let us turn to our naval affairs. Still more do they need adjustment on some foundation of Imperial breadth and unity. The



burden on our own people is immense. If the consequent expense is to be continuous, is it to be applicable to the defence of Colonies which bear no share of it? I need not say it is to the navy rather than the army that the Colonies look with confidence in the period of an apprehended war. Yet neither are the Colonies asked to contribute their quota to the maintenance and increase of that which is their best defence, nor is any attempt made to utilise, in the way of naval reserve or otherwise, some of the splendid human material available among them; for instance, the fishermen of the Canadian fisheries. And why? Because it is felt that with our present inane system of relations, *although they would be involved in our perils, they have no voice whatever in determining our conduct concerning them.*

As a specimen of the extraordinary vacillation in our policy, and the indefiniteness of our relations, I may cite the case of the *Cerberus*, a gunboat, of whose perilous and romantic voyage to Australia you have all heard. We have refused to maintain troops in Australia, yet we have sent out a vessel, built at great cost, four-fifths of which was borne by the Imperial Exchequer, and one-fifth by the Colony. Granted the contribution is a proper one, where is the consistency of our rulers? Why are troops withdrawn on the ground that the Colonies ought to provide for their own defence if a short while after we pay a large sum for naval armament, and make a present of it to the Colony? So far as I can learn, no arrangement has been come to with the Colony respecting the management of this vessel, whether she will or will not in case of war fall under the command of the British admiral on that station. Instead of fixing these things at the time of the gift, the Governments appear to have left them to the evolution of chances.

We thus see that to talk of an Imperial army and navy



in existing conditions is to talk of that which does not, and is not intended, to exist. There are no such things. There is a British army, a British navy, a Canadian militia—and the ship *Cerberus*. Do not let me be supposed to fix the humiliation of this fact entirely upon our ruling statesmen: it is chiefly owing to the anomalous character of colonial relations. There is, and can be, no idea of permanence or unity in a system by which whole nations of Englishmen are practically disavowed in the arrangements that concern the defence of their hearths and their freedom. There can be no satisfaction to ourselves in conditions under which the whole cost of defending thriving Colonies is cast upon our shoulders, and they are not organised to co-operate with us for the common defence. But it seems very fatuous reasoning to contend that such discrepancies are proofs of incompatibility, when no effort has been made to remove them by mutual negotiation; when no statesman is bold enough even to offer to make the necessary inquiries! Is it not too true that the effect of modern politics has been more and more to change the House of Commons into an English vestry, and its leaders into parochial officers? We conduct the affairs of the vast proportion of our Empire on the principles of tradesmen elected to repair church pews and mend the chain or the handle of the parish pump. We continue to earn, with more honourable adherence to the character than ever before, the name of a “nation of shopkeepers.”

Turn to commercial relations: We hit upon yet more fatal anomalies. I can see some consistency from a purely Imperial point of view in the old system of monopoly by which colonial trade was fettered; it was an assertion of the supremacy of Empire over local selfishness. In so far, perhaps, as that taught men to sacrifice

something for the common good of a wide dominion it was a beneficent and specially ennobling thing. But we resorted to free-trade at the same time that we began—most properly let it be admitted—to recognise considerable independence in our Colonies. There is, however, no sense of *Imperial proportion* in our arrangements. We have failed to insist with older Colonies, or lay down the preliminary articles with new ones, *that free-trade was to be the principle of their financial legislation*. Hence our manufactures have been subjected to protective duties, and in the Colonies capital that ought to have been devoted to agricultural expansion has, at immense hindrance to economic production, been devoted to the establishment of manufactures, the labour engaged in which was also diverted from the natural channels of colonial development. The disastrous influence of this policy on some of the Colonies it is impossible to estimate. Trades' unions have conspired to keep up rates of wages where all labour should rather have confederated in the far more lucrative effort to increase production. Land, which capital and labour might have developed, has remained idle; trade has been cramped, and the chief benefit of a colony to a mother-country—namely, the increased and cheapened supply of food and raw material—has been to a large extent neutralised. Nor has this been wholly unreciprocated on our part. The sugars and rums of British Guiana alone, it is said, in one year suffered from the hands of the Imperial Government an impost of over £2,200,000 sterling—or nearly one-thirtieth of the Imperial revenue. A singular comment on the outcry made by agitating financial reformers against the protective duties of our Colonies on articles of home manufacture. The ancient saw about the conditions for two sexes of a silly bird is surely applicable to

this argument. What is sauce for the British goose is sauce for the colonial gander.

With all this our present policy is practically tending to force each of the Colonies, at disproportionate expense, to organise for itself separate naval and military forces, the necessary revenue being attained by laying additional burdens on British productions. A federal Imperial system would keep that expense at the minimum, and Imperial influence judiciously exercised assimilate the commercial policy of the provinces to that of Great Britain.

It is useless now to reflect upon the manner and terms of our grant to Canadian and Australian Colonies of the independence they possess. That it was incautious is too little to say—it was idiotic. On some of the most important matters our Government appears to have proceeded on no settled principles, to have adhered to no conditions; the colonial independence was gradually developed upon the old system of dependence; whatever theory of Crown supremacy or veto was retained ministers have reached the point at which they failed or feared to enforce it. The *Times*\* once admirably summed up the evils that have arisen from this *dilettante* policy:—

“When we give a Colony responsible government, we constitute it for all purposes of internal legislation and administration—that is, for almost all purposes, foreign relations alone excepted—a separate and independent territory. We thus expose ourselves to many inconveniences. The internal legislation of the Colony may involve principles hostile to Imperial interests; the Colonies may impose protective or discriminating duties; they may get up a war of tariffs with each other, or they may pass laws inconsistent with the treaty engagements of

\* October 21, 1861.

*the Empire*, or contrary to our notions of justice. For the conflict that arises in the case of improper legislation, a species of remedy is provided by the veto of the Crown; for conduct in the colonial administration hostile to Imperial interests, there is no remedy whatever so long as it meets the approbation of the Colonial Parliament."

This description, colonists will know, is slightly exaggerated, but it is too correct. The terms of connection with the Imperial Government have not been defined with sufficient clearness; the subjects of Imperial and colonial jurisdiction have not been carefully discriminated; the principles on which the veto has been exercised have been vague and fortuitous. For instance, the irrepressible deceased wife's sister, after winning the consent of an Australian Parliament to enlarge, in a world of five hundred millions of males, her sphere of possible depredation to the extent of one man more, was balked by the Secretary of State in England; while, on the other hand, a copyright Act of the Canadian Parliament, distinctly colliding with an Imperial Statute, must have received the assent of the Privy Council. Lastly, the responsibility of an independent community united with another under one sovereignty, to share the burdens as well as to accept the benefits of the union, has never been affirmed. What is the use of speculating about Imperial integrity on such conditions as these? Why should we argue the inarguable? No nostrum can keep up a healthy circulation between members joined by gum and despatch paper, and not by living community of interest, responsibility, and duty. To have carelessly conceded to dependencies more than any of the free States of America reserved to itself—the right to impose tariffs on commutual trade, to dictate the terms of the immigration of their fellow-citizens or practically to forbid it, to enact laws inconsistent with Imperial interests—was an error

as fatal, in my belief, to the permanent good of the Colonies themselves, as it was a stupid and criminal renunciation of our own interests. And, truly, it is a wonder that bonds like these have so long endured the strain. It is significant and gladdening evidence of a unity of heart throughout the Empire which even such blundering malversation is unable to destroy.

The only remedy that was suggested for this state of things was precisely the remedy that was most dangerous, as well as the least likely to find any Government bold enough to adopt it.

"We are quite clear," said the *Times* in the article already quoted, "that it would be the duty of the Secretary for the Colonies to veto all laws imposing protective or discriminating duties, proscribing nations at peace with us, like the Chinese, or in any other way infringing the great principles of Imperial policy. The whole subject must, before very long, force itself on the attention of Parliament, for the evils which we have pointed out are not of a stationary nature, but must go on in a progressive ratio, extending and increasing their baneful influence."

Ten years have passed. Protective duties have been imposed. Secretaries of State have not intervened. They have left the veto unused when they ought to have used it, and have sometimes intervened when they ought not to have done it. The subject cannot be said to have *forced itself* on the attention of Parliament. We have gone on in the usual British happy-go-lucky way. Discontent has increased. We have heard the whisper of independence across the seas. Immigration has actually been by some Colonies discouraged, not in the interest of the immigrants, but of local trade-unions. The Imperial Parliament has become choked with legislative subjects ranging from the Confederation of the Canadian Empire,

to the prescription, in legal language, of the size, shape, and colour of the penny bottles in which small apothecaries are to vend their drugs. Parliamentary respiration has ceased—utterance is stopped—even digestion is impeded—and political doctors are anxiously holding glasses and feathers to the nose for signs of life. All this while we, the people of the Empire, with all these momentous questions, have quietly drifted into seas the anchorage and fathomage whereof are not laid down in any authentic political chart. The captain meanwhile has resolved to take no bearings, and has thrown the compasses overboard.

“O Navis! referent in mare te novi  
 Fluctus. O quid agis! fortiter occupa  
 Portum. Nonne vides ut  
 Nudum remigio latus  
 Et malus celeri saucius Africo  
 Antennæque gemant? *ac sine funibus*  
*Vix durare carine*  
*Possint imperiosius*  
*Æquor?”*

I see the terrible end of this drifting policy! One by one our Colonies will drop away from us—drop away on conditions that may render confederation as hopeless as it now is with the United States, to any but sentimental dreamers. They may go before they are matured for independence, become the prey of internal disorders, and probably be attached, by choice or otherwise, to some people more wise and noble in their generation than we.

In fine, we are brought to this point. Our great Colonies are now *dependencies* only in name—they are in reality independent attachments, the bonds of union being very indefinite and variable. Now the whole of the difficulties and evils on which I have animadverted arise out of a policy directed to the notion of *dependency*, when

the reality of it is wanting. In fact, our Colonial Minister is asked to carry out simultaneously two antagonistic lines of action. You have a startling example of this in the case of the Washington Treaty, when the Home Ministry exercised on the one hand, the prerogative of the Crown, on the other, by express terms in an Imperial treaty, reserved to the Canadian *dependency* the right of repudiating some of its provisions—a position easy to criticise, which is manifestly before all the world a ridiculous one, but which, after the declarations and concessions of successive ministries of both parties, was evidently the only alternative to a rupture. This is the British Empire.\* *Stat nominis umbra!* My definition of a clever man is, one who always has his eyes and nose and mouth and ears and hands and feet and brains about him; and a great State, to be a living State, as clearly needs the perpetual and sympathetic activity of all its functions. But what are we to say of a State whose extremities, instead of being coherent, vital members, cling to the trunk only by flaccid and rotting integuments?

But the point I am extremely anxious to make this evening is, that the whole of the arguments of anti-colonial writers have been directed against *dependencies*. It was of the relation of dependencies that Adam Smith first protested the weakness; it was of *dependencies* that Sir George Cornwall Lewis summed up the disadvantages; and it was against the evils of *dependencies*—actual or theoretical—that Professor Goldwin Smith wielded a Quixotic pen; but against inceptive States, Territories, or Colonies united to us by ties such as are easily conceivable, such as we have examples of, on principles determined by wisdom and mutual interest, their arguments are inapplicable. No argument has hitherto been adduced

\* This is the felicitous conjunction of which the *Daily News* and the *Pall Mall Gazette* so calmly assure us!



to prove that any colonial adjunct of the Empire, brought on equitable conditions to form a homogeneous part of it, will not add to its strength, prosperity, and glory, or will not, as a consequence, enhance its own prospects and position. The basis of such an arrangement must be laid in principles, some of which are unknown to our existing relations—common citizenship, common interest, common responsibility, common and united international action, common defence, and some community of government. The results of such a union would in the end be confirmed and enlarged trade, wider distribution of capital and labour through the Empire, removal of restrictions, and the enormous benefits of more extended fields for the energy and ambition of our citizens. If we should tain to this, we may thank Sir George Cornewall Lewis and his plagiarists that, by pointing out the anomalies in the relation of *dependencies*, they have induced us to revise the Imperial constitution, and to substitute for that term and those relations a name and bonds more just, more flexible, more strong and glorious, more beneficent and enduring.

I do not wish for a moment to be understood to acquiesce in the conclusions upon the policy of Imperial disintegration urged by Professor Goldwin Smith and others. It is the policy of a craven and degenerate people—the policy of mammon. They ask, What benefit do you derive from these expensive offshoots? and the reply being incapable of expression in money, they conclude that there is none. The unit of measurement of a nation's greatness is with them the pound sterling.

The respect of the American for the almighty dollar is proverbial. By that valuable standard he is able to express his estimate of everything, from a cool drink to the pleasures of Paradise. I once remember accompanying a Philadelphian over a small estate on which there grew,



throwing its great branches over the gable of the house, a particularly fine fir-tree. He gazed awhile on its majestic proportions, and the felicity of its situation, and then in a rapture of admiration exclaimed: "That's a splendid tree. It's the ornament of the place. I wouldn't have that tree away from there for fifty dollars"—an accurately commercial estimate of the delight such an amenity was likely to afford. Is it to this standard that we are to bring our ancient Imperial glory, with its majestic and far-spreading branches? Are we to estimate nothing for the ennobling incentives for a whole population to enterprise, to commerce, to religious and philanthropic exertion, to practical and progressive statesmanship, to the highest arts of social life? That beating drum, marking all round the globe the passage of the sun and lines of Empire, which inspired the grand admiration of the American orator, awakens a sentiment far more worthy than that of pride in the breast of a Briton. It is the monitor of his world-wide responsibilities—the alarum of duty. It reminds him of direct brotherhood of citizenship with a third of the human race. It gives breadth as well as animation to his political ideas and international action. Ill becomes it any man, however philosophic, to disdain this sentiment, for it is one of practical influence in a nation's life. It affects even the relations of trade, and the courses of commerce: it has to do with the range of civic ambition, the growth or permanence of Imperial power. In the great play of national life there are motives other than selfishness and avarice. The forces awakened and put forth by Imperial energies are regenerative and invigorating. I do not see how it is possible to overcome that serious argument from the history of Empires, so well propounded by Mr. Herman Merivale, "Never has there yet been an instance in which a colonising nation can be shown to have de-

teriorated in population or wealth by reason of her efforts in that direction, however lavish and long continued."

Both Sir George Cornewall Lewis and Professor Goldwin Smith assert their doubt that the relation of Colony to parent country has any influence on the currents of trade. Indeed, they concur in the opinion that the separation of the United States from Great Britain probably caused our trade with them to be far more profitable than if they had remained in connection with us—a proposition which is not only impossible of proof, but full of the most glaring improbability. With our remaining Colonies, almost I believe without exception, our trade is greater per head of the population than with the Americans. We have, indeed, had the statement advanced and supported with great ability by Mr. Eddy that *trade follows the flag*. Nakedly, as a statement of principle, that may be an exaggerated statement, but as a description of a strong tendency it is true. It strikes me that the fact will be found to lie between the two extremes. If, on the one hand, the axiom so broadly stated is extravagant, on the other it is as unwise as it is unfair to overlook the fact that the channels of trade are frequently laid down upon national and political lines of association. Mr. Merivale has pointed out in his lectures that an influence is exercised on trade by the similar habits and associations of an identical nationality, and how in South America part of the Spanish and Portuguese trade was perpetuated, not by convenience, but by habit.

Adam Smith is referred to as an authority by all the writers who have propounded the theory that Colonies are a weakness to the parent State. I shall close my reference to this subject, by briefly reviewing the actual language of the great political economist, for it appears to me that it has not been quite fairly used. He was writing at a

time when the monopoly was in force, when the conditions of colonial government were difficult, and chiefly against the evils resulting from that monopoly. He was writing during what he termed those "disturbances" by which the fairest and noblest part of our dominions was lost to the Empire. Arguing then under these circumstances, how did he express his conclusion? "*Under the present system of management*, therefore, Great Britain derives nothing but loss from the dominion which she assumes over her Colonies." But with that conclusion staring him in the face, the heart even of the cool old economist seems to have revolted from the doctrine of Imperial dissolution, and his sagacious genius told him that it was more difficult to destroy than to fulfil. "To propose," said he, "that Great Britain should voluntarily give up all authority over her Colonies, and leave them to elect their own magistrates, to enact their own laws, and to make peace and war, as they might think proper, would be to propose such a measure as *never was and never will be adopted by any nation in the world. No nation ever voluntarily gave up the dominion of any province.*"

In the years that since then have passed, Great Britain has made to her Colonies some of the concessions to which he referred, and it has been declared by ministers of State that she is prepared to make them all. But, I solemnly say, every one concerned should be very cautious about taking it for granted that England will create the precedent which the economist said had never existed. Let no English statesman, no Colonial Government, be too sure of the tame acquiescence of the English people in the rupture of their connection. I for one would not go bail that they would keep the peace. The Americans, who were coolly discussing constitutional questions, and very generally admitting theories of the right of secession, when their Federal flag was fired on at

Fort Sumter, woke up with a shock, flung theory and discussion to the winds, and concluded the argument with the bayonet. I should like to see the minister who would stand up in the House of Commons with the Bill in his hand to abrogate the connection of Canada with the Empire!

But Adam Smith proceeded to shadow forth a system of relations under which both Colonies and mother-country, being drawn into closer connection, might mutually support one another. He looked forward to an alliance between the Colonies and Great Britain. He propounded the plan by which the United States could have been saved to the Empire. He proposed that in "parting with them," as he termed it, we should bind them to us again, should "settle with them such a treaty of commerce as would effectually secure to us free-trade. It might dispose them not only to respect for whole centuries together that treaty of commerce which they had concluded with us at parting, but to favour us in war as well as in trade, and, instead of turbulent and factious subjects, to become our most faithful, affectionate, and generous allies." And, finally, he showed that to render the provinces advantageous to the Empire they ought not only to maintain their own peace establishment and contribute their proportion to its general government, but to make their proportionate contribution in time of war.

In the light of what has happened since these words were written can we doubt what would have been the policy advocated by the economist were he now alive? Had he seen the wonderful success of the federation which has since then grown to such proportions under our eyes, had he witnessed the change that has come over our colonial relations, and noted the extent of independence conceded under them, the whole cost of the peace establishment of the Colonies borne by themselves,

—and yet had observed the almost passionate yearning towards the home-land, the loyalty which neither persuasion, nor misunderstanding, nor insult, is able to chill—would he not have joined with us who say,—Here are conditions under which just and enduring ties are possible; here are clear dictates of the truest and most beneficent policy for all parts of the Empire; this is the time, the peaceful time, the precious opportunity to unite in one great people the British communities of the world, to settle our constitution on foundations that shall never be moved? The example of the United States proves to us how perilous it is to trust to after treaties to reinstate relations once broken, as it appears on the face of it the idlest absurdity to propose to fracture an empire in order to put it together again. Upon this important subject I must not further trench, the more that it is sure to have at the hands of so competent an authority as Mr. Labilliere a thorough and able investigation.

It is not necessary that we should dissolve this marvellous Empire, the upgrowth of an energy and sacrifice unrivalled in the history of races. It is not necessary that we should dismiss from our family circle that vast sisterhood of nations which has grown up under our parental care—whom we have nourished, for whom we have suffered and struggled, to whom we have given our blood, our wealth, our best strength; from whom we hope for reciprocity of power, wealth, and affection. We must take our stand on the unity of our race, on the unity of our interests, on language, religion, laws, manners, customs, and a citizenship that are one. “What God hath joined together let no man put asunder.” In the light of recent history we cannot despise or overlook the tendency of races to unity of Empire. The confederacies of nations are expanding instead of contracting, and every new addition to an old State reduces by one the chances

of international confusion. What I have said elsewhere I maintain anew with solemn earnestness; he who contributes to the dissolution of a great confederacy of States is committing a crime against civilisation and humanity. Oh, no! it cannot be! Even should the mother dismiss them, her daughters will not let her cast them off. They will cling to her skirts! They will cry out to her, in the urgent words of Ruth, "*Intreat me not to leave thee, or to return from following after thee: for whither thou goest I will go: thy people shall be my people, and thy God my God.*"

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MR. FREDERICK YOUNG said he felt it a great privilege that he had been selected to propose the cordial and best thanks of the Conference to Mr. Jenkins for the address to which they had all listened with great attention. He was old enough to remember that there was a time when there used to be a particular sentiment expressed in relation to questions such as they were met together to consider at this Conference to-night, and he would mention it to show what a change had taken place in the minds of some public men of late years. The sentiment to which he referred, and which was echoed throughout the length and breadth of the land, was, "Ships, Colonies, and Commerce." At that period the youth of England were brought up to believe that the Colonies were most beneficial to the mother country, that they were an expansion of our Empire productive of power and wealth at home, and that they were possessions upon which every Englishman might look with a feeling of pride (cheers). But since that time a change had come over the minds of some men who professed to march in the vanguard of England's progress, and consequently the public prints sometimes contained statements enunciated by these men which were opposed to the principle of colonial possessions, and which taught the policy that our Colonies were not of such value to the mother-country as to induce her to take every possible means to preserve them. Happily for Englishmen, these ideas had found no response in the hearts of the people (cheers); and therefore another change had more recently come over the spirit of the statesman's dream. It was found that the anti-colonial opinions of those men had revealed the fact that the English people in their heart of hearts were actually in love with their Colonies—those extensive domi-

nions upon which the sun never set, and which had been bequeathed to us by the indomitable perseverance and political sagacity of our forefathers (cheers). Doubtless it was the dissemination of correct information, and the efforts of such gentlemen as Mr. Jenkins in his address just read, that had been the means of turning the tide and evoking, amongst those who had the rule of the Empire in their hands, a feeling akin to that of the people of this realm, so that the non-colonial policy was almost abandoned, and we now heard the remark: "We don't want to get rid of our Colonies; we are all united on that point everywhere" (cheers and laughter).

The Rev. Dr. GUTHRIE, of Edinburgh, who was cordially received, seconded the resolution. He said he had been most deeply interested in listening to the address delivered by his friend, Mr. Jenkins. He (Dr. Guthrie), however, would confess that he was not very *au fait* on matters pertaining to the Colonies when he entered the room, but he was now more enlightened upon the present aspect of colonial questions. The inaugural address had had a wonderful effect upon his mind and his heart, and he did not think that the committee could do better than have the address printed and scattered throughout the land (cheers); because it would impress and arouse the public mind to a consideration of those topics upon which Mr. Jenkins had descanted. He (Dr. Guthrie), as some of them knew, had a special interest in a certain colony—not of land, but of persons. The members of that colony did not belong to the aristocracy, they did not belong to the middle classes of society, they did not even belong to the working class, but they formed the substratum of all society, for they comprised the ragged-school children, as they were called. By careful attention and well-directed efforts they were educated and trained to habits of industry, but those who reclaimed them were placed very often in circumstances of painful difficulty as to how the children should be disposed of. To his mind nothing was more desirable than that they should be removed from the localities in which they had been born. Experience showed that, after a suitable training, they were excellent members of society; and he would venture to say that if any working man wanted a wife who knew how to wash and to cook—in a word, who knew how to make a pie as well as to eat it (a laugh)—let such a man come to the ragged schools and pick out a suitable companion. (Hear, hear.) Well, then, as he had said, the difficulty of the friends of these ragged schools lay in the fact as to how they were to get their scholars removed from the temptations to which they would be exposed in our large towns. The difficulty was all the more



felt when Government refused to do anything to help the friends to send the scholars out to the Colonies, where labour was so abundant. He would, however, venture to say that there was no class of emigrants better fitted for sending out to the Colonies than these children; and he knew that Canada wanted three hundred such boys in one district if the ragged-school friends could afford to send them out. (A Voice: "Then let Canada vote the money.") But if the Canadian Parliament would not vote the necessary money, it was left for the friends to send them there, and he knew of no better employment for some of our unused and rotting naval ships (cheers).

Mr. STRANGWAYS, late Attorney-General of South Australia, said it was quite by accident that he read, in a short paragraph in the *Daily News*, that this Conference was to be opened this evening. He determined at once to come, and he was glad to find, from the large and influential attendance, that great interest was evinced in colonial questions. There was an observation, made by the preceding speaker, upon which he felt he must say something. Dr. Guthrie suggested that ragged-school children should be sent out to the Colonies. Now, if well-behaved and industrious persons were sent out, it would be well; but his experience was not such as to commend the idea of sending out a lot of idle, unintelligent, naughty boys, to populate the British Colonies. Colonists did not want the scum of London gutters to grow up amongst them; and nothing could be more prejudicial to this Conference than to have it believed that it was favourable to a measure of that kind. He should indeed be very sorry if an idea of that sort got abroad (hear, hear). With respect to our Colonies themselves, he was much astonished a few days ago with the amount of ignorance which he found prevailed in England respecting her possessions abroad; and, with respect to the Colonies of Australia, he would use the term—actual ignorance (hear, hear). There was a call, therefore, for a Conference on colonial questions; a great deal of good would be sure to come out of it, and it was to be hoped that it was not the last which would take place, but one which was to be looked upon as inaugural to many others. He was glad to find, by the remarks of Mr. Jenkins in his address, that the committee were not going to follow the example of another society—the Colonial Institute—by excluding all politics from its discussions,\* and enjoining upon every speaker the importance of carefully avoiding anything unpleasant to the powers that be at the present time. What the Colonies required was to let the people

\* This rule has since been abolished in that institution.



know what the Colonies want. At present it was not known. They wanted more of the industrial element, people who would put their shoulder to the wheel and honestly and usefully employ their time in the cultivation of the waste lands. But the main thing that the Colonies required was to be let alone. They wanted to manage their own affairs (hear, hear). He could not conceive it possible for any Secretary of State to form better opinions of the Colonies than those who had their habitations there. What did the Secretary of State do? It was said that there was a list of the Colonies, and that a gentleman who held a high office was obliged to sit with this list in his hands when a particular Colony was referred to, in order to see where it was. Again, with respect to the House of Commons. If a member were asked sometimes to come down to the House because there was to be an interesting discussion on the Colonies, his reply was: "Oh, bother the Colonies! Does West Australia win the Derby?" He believed that the feeling of "Bother the Colonies," was that which often prevailed amongst the community (hear). Mr. Frederick Young had alluded to a sentiment which formerly prevailed, of "ships, Colonies, and commerce," but he (Mr. Strangways) believed that whilst some men were ready to talk about ships, they yet were willing to say, "Bother the Colonies." Their language was, "Let us have ships to sail to every part of the globe, but bother the Colonies." All they thought of the Colonies was, "We want their gold; we want their wool; we want their wheat; and we want to pay as little as possible for these things" (laughter). In reference to the subjects which the committee had arranged for discussion, it appeared to him that the most important was "Imperial and Colonial Federalism," by Mr. Labilliere. England had told the Colonies that they must defend themselves. They are told that the navy will be looked after by the Imperial Government; but the Colonies must prepare themselves to defend their own shores. Now the main feeling which the colonies had on this subject—and it was of great importance to them—was, "We will accept your proposal to defend our own shores, but we will not be dragged into other people's wars and turmoils." It did seem hard that it should be possible for a state of things to exist in which colonists should have their country destroyed, owing to a war arising upon a question in which they had no interest whatever (hear, hear). Respecting the loyalty of the Australian Colonies he would say that a large number of persons had emigrated there from England. England indeed was regarded as their home,

"Their fathers' island-home."

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There was a feeling of love and pride respecting England, and it was the desire of the colonists to remain faithful to the flag under which they were born, and thus continue connected with the mother-country (cheers). What, he would ask, would England be without her Colonies? It was said that England was losing ground in the opinion of the nations. ("No, no," and "We never were greater.") He believed, however, that such was the opinion of some persons ("Oh, oh"); but he believed it was not proved. He believed that England, in point of fact, never stood higher in the world than at present (cheers). Her language was spoken all over the globe, her flag floated on every sea, and her vast and wealthy Colonies added no little to the greatness of her Empire (cheers). The simple fact was, England was at the present time in the position of a big dog with a lot of little curs yelping round her (cheers and laughter).

Dr. GUTHRIE obtained permission to reply to an observation made by the last speaker. He said as long as he had lived and laboured for the ragged-school children, he would not be silenced when any gentleman from pure ignorance—and it was nothing less—made statements which damaged their interests. Mr. Strangways had said, respecting ragged-school children, that the colonists did not want "a lot of idle, unintelligent, naughty boys to grow up in the colonies, nor did they want the scum of London gutters to grow up amongst them." If Mr. Strangways would come down to Edinburgh, he would see that there was the greatest excellence amongst the ragged-school children, and that they turned out to be more useful members of society than many others. "The scum of society!" What was that? The piece of cream-laid paper he now held in his hand was once scum, and in its raw state came, perhaps, from one of the most filthy dens of wretchedness. But the rags had been sent to the paper manufacturer, and the paper was now clean and pure, fit for any lady to handle and to write upon (cheers). At all events, the once-ragged boys from industrial schools, with English blood in their veins, and whose wretchedness was often the result of bereavement or parental poverty, were a better class of emigrants to the lands of their forefathers abroad than the Coolies and the Polynesians, which were taken there in shiploads to cultivate the soil (renewed cheering).

Mr. McCULLAGH TORRENS, M.P., in moving a vote of thanks to the noble Duke for presiding, said they must remember that this was not an occasion for a few men of opposite opinions to break a lance with each other, but a Conference in which they acknowledged that men had a right to differ, and that they came

here to seek for that which was good and true (hear, hear). Although he had heard the two gentlemen who had preceded him speak at right angles on two points (a laugh), he would venture to say that it was rather a good augury for the Conference that at the starting point they acknowledged their right to differ (hear, hear). Turning to the noble chairman, he said he was glad to see the Duke of Manchester in the chair. There were few acts in which his Grace could be better engaged than in helping the promoters of this Conference—and through them the people of England—to lift up their hands against the suicidal policy of isolation of the mother-country from her Colonies (cheers). There was no question of greater importance to the community than this, "How could a great nation, of which they were part and parcel, be kept together? How could it be kept progressive in its ascendancy (hear, hear)?" He would not say anything about "little curs" or "big dogs." Men would talk, and envy often sharpened the sarcasm that was uttered (hear). But it was their duty as Englishmen to move onward in the van of civilisation in commerce, in arts, and in armies, if necessary, and never look backward. Let each come to this Conference ready to listen diligently, humbly, and earnestly to what others had to say. They were met together to help each other in obtaining sound views in reference to the nation's prosperity, and let them remember that there was a power of mammon worship in the country, which was stealing upon the heart of the nation. It was the duty of the women of England, as well as the men of England, earnestly to think of this. It was not for us to be eaten up by the greed of to-day and the luxury of to-morrow. We had inherited a great inheritance from our forefathers, and we were responsible to our children, and nothing could exonerate us from the duty of keeping the English race and the English Empire together (hear, hear). He would venture to say that if the day had gone by in which we could no longer be the great ocean power of the world, we could no longer in our political institutions be great, happy, and free (cheers).

Sir CHARLES NICHOLSON, Bart., was happy to second the resolution of thanks to the Lord Duke in the chair, and in reference to the address given by Mr. Jenkins, he must admit that he entirely concurred with Mr. Jenkins in most of the views enunciated; but in expressing that concurrence he would not disguise from them the fact that he could not see his way to a solution of all the difficulties with which colonial questions were beset; for it was a fact, not only with respect to many Englishmen, but colonists themselves, that there existed considerable apathy

concerning the relations between the Colonies and the mother-country. They had been told to-night that all the Colonies wished was to be left alone. He did not admit that (hear, hear). He would admit that some of our Colonies had come to the possession of such strength and power that they might to a considerable extent be left alone; but he was not speaking of Canada alone, which recent statistics showed to be the fourth maritime power of the world. It might, perhaps, be said of Canada and Australia that their resources and strength were becoming so great that they were not so much as formerly dependent upon the mother-country; but this could not be said of many other British Colonies. Canada and Australia also had had great powers conceded to them by the Imperial Government. In 1856 England surrendered to Canada powers to deal with waste lands; and with respect to Australia, it appeared monstrous to him to take a magnificent Colony like Queensland, with an area as large as France and Italy, and give the whole administration of its lands to a community of some 30,000 persons, with power to incur any amount of debt. He could not therefore subscribe to the idea enunciated by the late Attorney-General of South Australia, Mr. Strangways, and say that the Colonies should be left alone (hear, hear). As to the labour question, he would remark that it was said that two colonists could never meet without disagreeing (laughter). He differed from that statement, although there had been some difference expressed to-night. They had seen that one gentleman had not liked the introduction into the Colonies of a body of ragged-school children; but it must be remembered that the great want of all colonists was labour—more hands to till the soil. It was a fact that vast numbers of acres of cleared land could not be cultivated because there was a scarcity of labourers; and this was a serious matter to landowners. To remedy this evil the people of Queensland—which, as he had intimated, was as large as three or four European States—were importing native savages from the Polynesian islands, and Coolies. But place these men by the side of a body of ragged-school boys, and what would be the result? Doubtless amongst these sons of hard-working, though poor Englishmen, would be found that intelligence which was a trait of their character, and that industry and indomitable perseverance which would render their labour as useful as it would be reliable. He was, therefore, ready to concur in the remarks expressed by Dr. Guthrie (hear, hear). The baronet then brought his remarks to a close by congratulating the committee upon the success of its first meeting, as shown by the crowded assembly of ladies and gentlemen present.

The thanks of the meeting having then been cordially expressed to his Grace for presiding,

The DUKE OF MANCHESTER rose to acknowledge the compliment. He began by observing that he need not say that he felt extremely grateful to the meeting for the hearty expression of their gratitude to him for presiding at the opening of this interesting Conference. To Mr. M'Cullagh Torrens, and to Sir Charles Nicholson, he also felt grateful for the kind manner in which they had been pleased to speak of his presence to-night. It was a small matter that he should be amongst them ; but he would assure them that his feelings towards the Colonies, respecting their prosperity, was in no way a small matter to his mind (cheers). He had for years felt a deep regard for the welfare of our Colonies ; but he did not wish to enter into any argument respecting some of the points which had been mentioned to-night. He would, therefore, say no more than that he had listened with attention to the inaugural address delivered by Mr. Jenkins, and with which, he would add, he agreed. He should indeed be glad to do anything to promote a closer union—and more than union—an amalgamation of the Colonies with the mother-country (cheers). Respecting what had been advanced by the speakers who followed Mr. Jenkins, there was one remark made by Mr. Strangways which had reference to political questions. He (the noble Duke) would admit that in the present position of affairs it was unjust to ask the Colonies to defend themselves in respect to any war England might engage in with a foreign Power ; but, on the other hand, he should like to see the relations between the Colonies and the mother-country so altered that England could not be involved in a war without the sanction of the Colonies (hear, hear) ; then, doubtless, as in the case of Scotland and Ireland, they would be ready with men and money to aid in the defence, not only of what might be called the British shore, but in defence of home (hear, hear). He would also remark that he was glad to be present to-night because the Colonial Institute a few days ago did him the honour to elect him as its President. He believed Mr. Strangways alluded to that society when he said it made it a rule to avoid political questions during discussions. But he (the noble Duke) wished to say that that institute did not exclude political questions. It was true, however, that there were some words in the rules which bore an intimation of that sort, but the Council were now taking steps to alter them (hear).

## SECOND DAY—THURSDAY.

THE Conference re-opened at eleven o'clock.

THE EARL OF SHAFTESBURY, K.G., presided, and on taking the chair expressed the pleasure which he felt in doing anything to promote the prosperity of the British Colonies and their closer union with England.

A paper was then read on—

### COLONIES AND COLONIAL GOVERNMENTS.

BY PROFESSOR SHELDON AMOS, M.A.

If it be true that the history of home and foreign politics in this country has been for long periods one almost unrelieved narrative of selfish aggrandisement, tyranny and revolts against tyranny, capricious experiments, mischievous action, and not less mischievous inaction, it is equally true that there is, strictly speaking, no history of colonial politics in this country whatever. True it is, that in the government of her Colonies, and in ascertaining the relations between the Home and Colonial Governments, Great Britain has often exhibited an obstinate perseverance in a particular course of conduct which some might fancifully decorate with the name of "policy." This term, however, at least implies a certain amount of conscious determination of will, and of provident and circumspect regard for the future and the distant. Bad, weak, or reckless as a policy may be, the term itself at least professes to cover

some such meaning as this. Whether the attitude of this country towards her Colonies has generally hitherto presented an aspect even distantly recalling the notion of a *policy* will appear from the following brief description of the characteristic treatment of her Colonies by Great Britain up to the present day.

The chief epochs in the history of the relationship between Great Britain and her Colonies are marked by the following leading classes of facts:—(1) neglect, (2) taxation, (3) mischief and trade reciprocity, (4) penal settlements, (5) military stations, (6) Imperial prestige, and (7) recent land and labour reciprocity doctrines. (1) It is a worn-out observation that the North American Colonies were contemptuously neglected while they were weak, and (2) were taxed as soon as they became rich enough to pay and strong enough to revolt. Taught by experience, Great Britain has been almost squeamishly afraid of charging her richest Colonies with any portion of the Imperial expenditure. But (3) the notion that somehow or other the stronger part of the nation ought to get some commercial profit out of the weaker, though driven from the field of direct taxation, took refuge in that of a spurious and vicious economical practice. By the Navigation Laws and an artfully constructed Customs tariff for the home and colonial ports, Colonies were compelled to abstain from free traffic with foreign nations, and from manufacturing their own native products; were compelled to receive the fabrics manufactured at home at prices absurdly in excess of the market value, and were rewarded by an artificial favour shown in the home ports for their own raw produce, whereby Colonies, as those of North America, were induced to conjure up a fictitious trade for which their natural resources gave them no sort of preferential claim. It is not necessary here to exhaust



language further in stigmatising as it deserves the selfishness and stupidity which lay at the root of this impudent course of imposture.

(4) The discovery that distant territories, inhabited by a sparse population, might be turned to account as *penal settlements*, introduced a new phase in the story of British colonial enterprise. The different stages of this enterprise, as signalised by industrial enervation among the free emigrants, the scandals of the allotment system, the vitiation of the colonial life-blood, and the stain of infamy polluting the fair fame of a youthful community, only need to be recalled here for the purpose of once again branding the shortsightedness, if not the selfishness and imbecility of English statesmen. (5) The use of colonial territory and ports as outposts or stations for the army and navy of the mother-country, might appear deserving of more indulgent consideration than the treatment of the kind just alluded to. The defence and the forces of the whole Empire are indeed matters with which every part of that Empire is equally concerned. The ground of objection to indiscriminate occupation of colonial territory for this purpose, is to be found in the fact that the mother-country is inevitably tempted to make an undue assumption of this plausible claim, neglecting the most vital interests of the Colonies, and especially their aspirations after progressive emancipation when put into competition with the servile uses by which the mother country can turn them to account.

(6) It is true, again, that side by side with all these distinct and sinister advantages which Great Britain has extorted from her Colonies, she has had her conduct towards them to no small extent qualified by a vague sentiment that the possession of a number of Colonies redounds largely to the general prestige of the Empire. This is a just sentiment where the union between the



mother country and her Colonies is in real and open fact, as it ever is in secret essence, living and organic. But where the whole Empire is in a state of restless dislocation; where no distinct and large-minded policy binds the scattered fractions into an indissoluble whole; where chance, caprice, or momentary passion determines the government of every Colony from one month to another; surely in such circumstances as these each additional Colony is an additional source of Imperial shame.

Lastly (7), the most modern theory of colonial enterprise, though at the root selfish, and therefore weak and imperfect like the rest, at least depends upon no false economical maxim, nor leads to any but—so far as they go—highly beneficial consequences. There is land in the Colonies wanting cultivation; there is labour at home wanting employment. The true use of the Colonies is to relieve an overstocked labour-market at home. We are better men than our fathers without being less prudent in making the most of the good things bestowed upon us. It is scarcely to be wondered at that the Colonies most in need of labour have sufficient self-respect to resent English schemes of State emigration proceeding upon no broader or more humane conception than this.

Such, then, is a general sketch of the fortuitous views which alone have stood in the place of a policy for the government of her Colonies by Great Britain. As contrasted with this empirical and lax method of discharging the responsible duties of government, it is proposed here to follow a strictly scientific method of research, and by noting the real political elements in colonial society, so far as general propositions can be advanced about it, to ascertain the true principles which should determine the government of Colonies both in the territory and at home.

A Colony may be curtly described, with a generality sufficient for the present purpose, *as a detached portion of the whole constituent population of the State permanently settled on territory belonging to the State, and being sufficiently numerous and independent to contain within itself a Government exercising nearly all the leading functions commonly exercised by the Government of an independent State.* It is scarcely necessary to explain particularly the phrases and terms here used, or to point out how they are generally relative ones and do not admit of precise limitation. The history of the British Colonies suffices to illustrate almost every possible modern variety in the facts of colonisation. Some of these Colonies have been founded in the wilderness by political or religious refugees; others have been founded in the midst of effete or half-civilised populations. Some have been ceded in times of peace or after war, and an English population has been superinduced on a Colony of another State. In some the English emigrants have carried with them and have retained English statute and common law to the extent, as it is loosely worded, that "they are concerned with them." In others they have adopted the system of law they found. The language spoken around, the religion in vogue, and the institutions discovered to be prevalent, have been indefinitely far removed from, moderately approximate to, or almost identical with, those they brought with them. The greatest and most momentous of all these differences is in the character, number, and situation of aboriginal tribes. Excluding, then, for the present the minor varieties of soil, climate, productions, and the like, the question presents itself as to what permanent and invariable elements enter into the very conception of a Colony, as such, so as to afford a basis for definite reasoning with respect to its proper political constitution.

1. It is not easy to estimate to the full what may be called the indirect influences of the political constitution, the historical antecedents, and the prevalent sentiments of the mother-country upon the population detached from it which forms its Colony. The novelty of the territory, and the evanescence of antiquated and symbolical institutions, might seem likely in a few years to reduce the force of these influences to a significance indefinitely small.

Any such supposition, however, leads, and has notoriously led, to fallacies as numerous as they have been dangerous. It is never to be forgotten that a true Colony is not a mere fortuitous collection of individual human beings, but is a true human and political society. Furthermore, by the nature of the case, a Colony is isolated and probably distant from its parent population, and is therefore inherently weak. It is true that a Colony or aggregation of Colonies may in time become strong, and even compete in strength with the most potent independent States. The present discussion, however, does not touch this ulterior stage of colonial development. In all previous stages during the career of its true colonial existence it is manifestly weaker than its parent State, than most other independent States, and than any but the least formidable combination of them. This real, though scarcely confessed, or even repudiated, weakness, coupled with the presence of all the lively and emotional associations, which a true political existence never fails to create and to foster, invariably and inevitably turns the whole stream of public feeling in a Colony into the direction of the mother-country. The relevancy of this fact has almost escaped attention from its very universality and almost proverbial truth. The agonising wrench which it cost the thirteen American Colonies to burst away from their thralldom in spite of

contumelious usage at the hands of the Home Government insisted upon, relaxed, reiterated, relaxed, and fatally insisted upon once again, which it is scarcely possible to read of even at this day without a blush of patriotic shame,—the almost pathetic terms in which New Zealand and the Australian Colonies express in official documents their chagrin at England's apathy,—the perennial fires which connected the altars of ancient Colonies and their metropolis,—the very words of "mother" and "child" which, in reference to colonisation, are familiar to the commonest vernacular dialect—surely all these phenomena point to some elements deeper, stronger, and more ineffaceable than could arise from a mere appreciation of the value of commercial reciprocity or from a vague and superficial sentimentality. The first truth, then, which has been reached as a basis for the political constitution of a Colony is that there are present the indestructible elements of a true, living, and organic union between the Colony and its parent State, such union being ready to be developed and cemented by a multitude of the same causes as those by which the population of the parent State itself is bound into a living and national community.

2. If, however, it be true that a Colony has links with the mother country almost unsuspected from their manifoldness and their intricacy, it is also true that the divorce from the parent territory and the release from the control of ancient institutions set the people free to work out practical problems and to inaugurate startling experiments in a way wholly impossible under any different conditions. The variety and the tendency to dispersiveness of early colonial efforts has much attracted the attention of political philosophers and practical statesmen. Able arguments have been alleged on both sides by way of showing, on the one hand, that a Colony will

become more rapidly enriched and developed by such an economical distribution of the public lands as shall put most difficulties in the way of the immigrant population wasting their labour in solitary agriculture; and, on the other, that all artificial impediments tend to arrest the energy of the whole population, and thereby fatally to dwarf the growing life of the Colony. It is not necessary to award the palm to one side or to the other in this great and apparently interminable controversy, the less so as the opportunity of economically controlling the sale of the public lands of the chief Colonies is practically lost to England for ever. Both sides allege or admit that in early colonial life there is a natural tendency to dispersiveness of effort and of interest, and the recent history of the Australian Colonies has perhaps exhibited the most signal illustrations of this pregnant fact. The squatting or sheep-farming interest, the more lately-born agricultural and grazing interest, the mining interest, and the commercial interest have, within the last thirty years, in one Australian Colony after another, each severally in turn domineered over the rest, introducing new land-laws, taxation-tariffs, amendments to the constitution, and successive governmental convulsions, just as seemed, from time to time, best calculated to forge wealth and prosperity for themselves. These dreary conflicts, the magnitude and moment of which have probably been exaggerated in this country for purposes of home politics, exhibit the true source of danger to a Colony in a course of active development. It is now, however, almost a political axiom that the evils incident to freedom can only be cured by freedom. It is a sagacious instinct of the Australian Colonies which urges them on to the most unrestricted suffrage and to what some denounce as rampant democracy. So long as a popular and tenacious hold on political principles, strengthened by the example and the

encouragement of the mother-country, entrenches round the rights of the whole people to free public meeting, to a free public press, to the independence of judges, and to trial by jury, no serious alarm need be experienced on account of even the most anarchical manifestations. Nevertheless, Great Britain has a fair claim to appeal to her Colonies publicly to repudiate an exploded political policy, especially in all external affairs. The time has gone by in the administration of colonial affairs for exerting or attempting to exert tyrannical violence in order to bring about even an apparently good end. But whatever direct moral suasion, whatever a solemn appeal to the present, past, and possible future obligations of the Colony to its parent State can effect, so much at least ought to be exerted to the full, as often as a retrograde commercial practice or a barbarous treatment of aboriginal races threaten to convert a medium, such as is a Colony, of concentrated moral good into a bane and a pest to human society. The recent flagrant example set by the English Government itself in its reckless occupation of Maori territory; the supineness of the same Government in not compelling the Dutch Government to carry out their engagement for the prevention of slavery in the regions bordering on the Transvaal Republic; the immoderate recklessness in the matter of Negro life exhibited in Jamaica;—these and the like sins of the English Government can scarcely be alleged in a court of public morality by way of set-off against the growing abuses arising out of the plausible system of Coolie immigration into Demerara, or the intolerable atrocities daily brought to light as arising out of Polynesian kidnapping of natives to supply the labour-market of Queensland and Fiji. Evils of this last nature, flowing as they do from those tyrannical and selfish habits which beset all men in proportion as they are removed from the restraints and the aspira-

tions of social life, are almost unavoidable incidents of a certain stage of colonial life. Solitude, excessive exertion, relieved by intervals of equally excessive sloth, the hard mechanical strain attending the wholesale culture of tropical products, the wary and astute instincts generated by commercial competition, are facts which render the resurrection of slavery in the least populated portions of colonial territory matter of perennial apprehension. To grapple hopefully with difficulties of this class there is needed a strong and enlightened Colonial Government supported by all the weight and influence properly accorded by the Government at home. It is probable that the aggregation of neighbouring Colonies into confederated systems, even apart from, or in anticipation of, a more ambitious Imperial federation, will do more than anything else to deliver the Colonies from the degradation attending the commission, on a large political scale, of barbarous and inhuman crimes.

From this review of the leading and invariable elements which determine the political career of Colonies, in the modern use of the term, it is not difficult to prescribe the true principles which should underlie the government of a Colony on the spot, and any conceivable interference with that government on the part of the Legislature or the Executive at home. Summarising the above results, it has been seen (1) that there is of necessity present in some degree a real living and organic union between the Colony, so long as it continues such, and the parent-State, and that this union is based partly on a community of social elements—such as historical antecedents, language, literature, religion, laws, and probably institutions—and partly upon the facts of isolation and inherent weakness. It has been seen, again (2), that owing to the novelty of the situation, the liberty of action, the exuberance of the resources, the first years of colonial life



are liable to be passed in a fretful and tumultuous existence during which the very political stability is threatened by the overwhelming pressure of rival interests successively obtaining pre-eminent weight. There is (3) lastly, the constant tendency to habitual deviation on the part of members of individual Colonies from the maxims of an elevated political ideal and a true human morality, such deviation manifesting itself in an eccentric and erroneous commercial policy, in exceptional or monstrous social institutions, and in a constant reproduction of the basest features of a slave system and a slave traffic.

On the assumption, then, that the purpose of government is not the mere manufacture of material wealth, the attainment of a tolerable amount of security and repose, and, still less, the advancement of the interests of a few or even of a majority at the expense of what is most precious to all, but that the purpose of government is the facilitating the moral and human development of the whole population in the loftiest part of their nature, the practical principles to be deduced for the constitution of colonial government are of the following nature.

The purpose to be attained is confessedly the retention of a true and precious influence to be exerted by the mother-country, not only in her own name, but in the name of all her Colonies universally, and in the name of the general interests of the human race. But this influence must be exerted in a way as little provocative of irritation as possible, and carrying with it as little as possible the outward appearance and real nature of tyranny or domination. On this account it is essential, and must shortly be recognised as such, that the whole system of appointing colonial governors at home, and that of retaining the right of *вето* at home on acts of the Colonial Legislature, as well as the whole system of appeals to courts of justice at home, should be at once and finally



abandoned. The same results as those aimed at by these institutions or practices, so far as these results are beneficial or laudable ones, might be obtained in a variety of other ways far more consonant with the dignity and the legitimate independence of Colonies. It is only in matters of external trade, complications with foreign States, and the treatment of aboriginal races, that the Government at home can have any just claim to interfere to the minutest extent. Were scientific principles of a liberal economical policy finally and publicly acquiesced in by the parent State and all her Colonies, any attempted variation in practice from the application of those principles would be a matter for the decision of a mere judicial tribunal. Such a tribunal might be constituted partly by the Executive at home, and partly by the Colonial Government. The constitution and dignity of the court would resemble that of a Court of Prize, and the same tribunal might suitably have jurisdiction with respect to the final ratification of colonial statutes affecting aboriginal races, or possibly foreign policy.

But it is no part of the present theoretical dissertation to advocate any special scheme of colonial government. The main purpose has been, by historical illustration, by scientific research, and even by practical suggestions, to give precision to what is vague, and reality to what is unsubstantial. Precious and dazzling, indeed, is the scheme of a great federal republic administered by a truly representative authority. Captivating too is the hope of making a final line of demarcation between matters of purely local or colonial and those of Imperial moment. The shortcomings of these conceptions, however, is that they are based upon the analogy of the form of internal government applicable to an independent State, or, at least, to a federal union of States. Colonies are neither the one nor the other, though they may ultimately

emerge into either. It is never to be forgotten that there is no cause for cramping, even in fancy, the political inventiveness of mankind. This inventiveness knows no limit except that due to the possible exhaustion of the kaleidoscopic forms of political facts. The relation of a modern State to her highly-developed Colonies opens out a class of unprecedented facts, demanding a class of political expedients equally unprecedented. Some of those peculiar groups of facts have been investigated and analysed above. The more obvious and familiar ones of distance from the parent country, from foreign States, or from each other; of difference in material resources, climate, and geographical opportunities; of historical and recent political vicissitudes, have been as yet scarcely alluded to. But the complexity and multitude of such elements in the great colonial problem declare that it is an ever new one, and ever new too must be the solution. The most seductive and ambitious theories of Imperialism without, and self-government within, do not resolve, but only initiate, the questions to be entered upon. A Colony is far more closely allied by analogy to a sovereign and independent State than to a dependent portion of such a State. In truth, it cannot be governed wisely by following servilely the analogy of what is appropriate to one or to the other. The key-stone of a wise political constitution for a Colony, both looking inwards and outwards, is a moral one, and is, in fact, the same as that eminently needed for the support of all democratic societies—liberty—controlled or interpreted by nothing else than the strict claims of economical science and political justice.

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MR. W. F. VESEY FITZGERALD, in opening the discussion, said that in his opinion the British Government had committed a foolish act in giving up their right to the government of colonial lands, as by this act too much power had been surrendered into the hands of

local administration. To improve the position between the Colonies and England, he had for the last fifteen years, with a view of pressing the importance of a due representation of colonial opinions in this country, advocated the establishment of a Colonial Court of Privy Council in London. Probably this subject would be more fully dealt with in the subsequent proceedings of the Conference; but he was convinced that the establishment of such a court would greatly facilitate colonial business, and save the officials at the Colonial Office from the perpetration of those blunders which were both ludicrous and perplexing (hear, hear).

Mr. WATTS (Australia) thought that there were some portions of the professor's paper which were rather fanciful, and others which were founded upon incorrect information. In the first place—to mention the various points which had occurred to him during the reading of the paper in which Professor Amos was wrong—they had been told that the mother country had lost for ever the right to control the sale of waste lands in the Colonies. He (Mr. Watts) could not conceive what authority the professor had for making a statement like that. What the mother-country had given up—and that, perhaps, wrongly—was the right of management of these lands; but she had not given up the fee-simple of such lands. He maintained that the position of the Colonies in respect to waste lands was as trustee for the mother-country, and that the Government at home could resume the delegated power, should it be wrongly exercised. That power was wrongly used when certain lands were set aside for the encouragement of emigration. In the next place, he had never heard before that the natives of the Polynesian Islands who had been imported into the Colonies as labourers, had been barbarously and inhumanly treated, or that as a system these men were kidnapped. He had made a note of the professor's remarks, which were "the intolerable atrocities daily brought to light, arising out of Polynesian kidnapping of natives to supply the labour market of Queensland." He believed that only one captain of an English vessel had been tried for kidnapping, and in that case the captain and crew were acquitted for want of substantial evidence. He should, therefore, enter his protest against the inference drawn by Professor Amos in his paper, to the effect that the imported natives of the Polynesian islands were brought to labour in the Colonies against their will, or that when there they were subject to barbarous and inhuman treatment. Neither did he see why the Coolies of India should be debarred from taking their labour from one part of the Empire to

another. He knew, in reference to the Mauritius, that the introduction of Coolie labour had been a benefit to that part of the Empire and to the Coolies themselves; because the labour which they performed was such as few Europeans could undertake, and because the remuneration which the Coolies received placed them in a position of independence and the means of obtaining a livelihood. He was sure, therefore, that upon the importation of labourers into the Colonies, Professor Amos had founded his observations upon incorrect information.

Mr. R. R. TORRENS, M.P., did not like the locking up of the lands of the Colonies by the officials of the Colonial Office in London, and thus preventing them from being inhabited by civilised men. As to the sale of the waste lands, it was a subject which had occupied much time and discussion in England, and it was ultimately resolved that, on a Colony receiving a constitution, the sale of the waste lands should be given up to the colonists. He regretted, however, that a part of an extensive and fertile Colony of Australia had been given away by some gentleman in Downing Street to a few persons to dispose of as they thought proper. As to Colonial Governments, which Professor Amos treated upon, South Australia had the most democratic constitution in the world. There was universal suffrage given for six months' residence. The result was, the average duration of an administration was found to be seven months (laughter). All this was owing to throwing the power into the hands of a mass of men who were the most illiterate and most prejudiced class in the Colony. He was sorry, therefore, to say that he could not agree with the last speaker (Mr. Watts), who was opposed to the principle of setting aside some portion of the land for the encouragement of emigration. It must be borne in mind that the peculiar constitution of a Colonial Government must be shaped by the population, and if the franchise was given to all comers after a six months' residence, what could be expected? He could not close his eyes to the fact that had a better system of emigration been introduced into Australia, the population of the Colonies there would have been greater, more stable, and more productive, and the wealth of the Colonies much larger. He was, therefore, in favour of a sound and well-organised system of emigration of Englishmen, as the best means for improving the government, the institutions, the productions, and the wealth of Australia, and such emigration would always be found far more beneficial than the shiploads of Coolies and half-civilised men which were now being conveyed there (hear, hear).

Mr. EDWARD JENKINS thought it was not possible, or indeed advisable, to follow the writer through this essay. It was a concentration of scientific opinion rarely to be met with on such occasions, and he had not the intention of entering into an elaborate discussion upon the points advanced. But one point of interest had been raised by Mr. Watts, and combated by Mr. R. R. Torrens, respecting the sale of the waste lands of the Colonies. The fact was, these lands at the present moment belonged to the Crown, and were treated as Crown lands. But, on the other hand, he was afraid that practically Professor Amos was right in what he had said concerning these lands; and he (Mr. Jenkins) thought that the present state of matters was more due to a want of care and wisdom on the part of the Colonial Office than anything else (hear, hear). It would be impossible for them to step in now, and seek to control the waste lands of the Colonies. The fact was, the Colonial Office had brought themselves into such a state that they dare not give an opinion, or take any action in the matter (hear, hear). There was another point alluded to by Professor Amos upon which he must say a word. The professor said that three cardinal points in the relations which existed between England and the Colonies ought to be changed. The first was the appointment of colonial governors, which he thought we should give up. But that very power which the mother-country exercised so beneficially would, if it ceased, form a great difficulty; for in the present state of the Canadian Legislature on Federation it was a great evil and an item of superiority over the British system that it was best to have the head of the Executive appointed by the Queen. Mr. Jenkins then referred to the suggestion that the *veto* should be withdrawn from the Home Government, and with reference to the appeals to the Judicial Committee of the Privy Council testified, from his own experience, of the important effect produced upon the administration of colonial laws by the knowledge that such an appeal was possible.

Mr. TOBIN said it appeared to him that the peculiar position of affairs in the Colonies had arisen in respect to Crown lands. He had held an important position in reference to Crown lands, and he would remark that Crown lands meant lands of the Crown, more especially for the Crown's own purpose to grant to whom the Crown thought fit, till the Colony received a free constitution. The moment that constitution was received the lands belonged to the Colony. He lived a long time in a Colony to which emigration was positively forbidden. There was a Colony to which people were forbidden to go, and another to which they were compelled to go (laughter). There

had indeed been a great deal of jobbing in colonial lands in the good old office in Downing Street, and he cared not whether any person present represented it or not. He had no faith in it. He hoped, however, that the gentlemen who promoted this Conference were in earnest; but he was afraid they were not, for he heard too much of the exordium last night to convince him that they were not right. If they were in earnest, their first quarrel was with the Colonial Office. That was their Redan. Let them clear out the Augean stable (laughter).

The EARL OF SHAFTESBURY continued in the chair, and the following paper was read by Mr. R. R. TORRENS, M.P., on—

#### SIMPLE METHODS OF LAND TRANSFER.

At a time when doctrines subversive of the security and stability of property in land are broached, not merely, as heretofore, amongst the uninstructed masses of the people, but find advocates amongst philosophers and professors of economic science, the consideration of a system by which many, and those the most serious, amongst the real grievances and disabilities resulting from the systems of land tenures and land transfer peculiar to this country may be remedied, can hardly be deemed inopportune. Therefore it is that, as our statesmen and legislators have begun to recognise the wisdom of taking the benefit of experiments tested in the Colonies, I have undertaken to give some account of the method of conducting transfers, and dealings in land which has for some time past been in operation in the Australian Colonies, with a view to considering how far the benefits realised under that method can be extended to these old-established communities.

In order that the aptitude of the remedial measure

which I am about to explain may more clearly be perceived, it will be necessary to refer to some of the more inconvenient and injurious results of the highly artificial system of conveyancing which it is designed to supersede, and for this purpose it will be more becoming in me to quote the statements of eminent jurists, than to obtrude any observations of a mere layman.

Lord Brougham describes this system as attended with many evils, giving birth to great vexations, involving the affairs of the community in lamentable uncertainty, and imposing on the citizens who live under it a heavy burden.

Lord Cairns thus describes the procedure under the English system of conveyancing:—"You buy an estate at an auction, or you enter into a contract for the purchase of the estate. You are very anxious to get possession of the property you have bought, and the vendor is very anxious to get his money. But do you get possession of the property? On the contrary, you cannot get the estate, nor can the vendor get his money, until after a lapse—sometimes no inconsiderable portion of a man's lifetime—spent in the preparation of abstracts, in the comparison of deeds, in searches for encumbrances, in objections made to the title, in answers to those objections, in disputes which arise upon the answers, in endeavours to cure the defects—not only months but years frequently pass in a history of that kind; and I should say that it is an uncommon thing in this country for a purchase of any magnitude to be completed—completed by possession and payment of the price—in a period under, at all events, twelve months. I can well imagine that the purchaser of an estate would be content to submit to delay, and even to some considerable expense, if he were assured that, when the delay and expense were over, upon that occasion at all events, he would



have a title as to the dealings with which, for the future, there would be no difficulty; but, unfortunately, that is not the case. Suppose I buy an estate to-day. I spend a year, or two or three years, in ascertaining whether the title is a good one; I am at last satisfied. I pay the expense—the considerable expense which is incurred—in addition to the price which I have paid for my estate, and I obtain a conveyance of my estate. About a year afterwards I desire to raise money upon mortgage of this estate. I find some one willing to lend me money, provided I have a good title to the land. The man says:—‘It is very true that you bought this estate, and that you investigated the title, but I cannot be bound by your investigation of the title, nor can I be satisfied by it.’ Perhaps he is a trustee who is lending money which he holds upon trust. He says:—‘My solicitor must examine the title, and my counsel must advise upon it.’ And then as between me, the owner of the estate, and the lender of the money, there is a repetition of the same process which took place upon my purchase of the estate, and, consequently, the same expense is incurred as when I bought it; and for the whole of that I, the owner of the estate, and the borrower of the money, must pay. Well, that is not all. Months or years after all this is completed, from circumstances, I find I must sell my estate altogether. I find a person willing to become a purchaser. The intending purchaser says:—‘No doubt you thought this was a good title when you bought this estate, and no doubt this lender of money thought he had a very good security when he lent his money; but you are now asking me to pay my money: I must be satisfied that the title is a good one, my solicitor must look into it, and my counsel must advise upon it.’ Then, again, commence abstracts, examinations, objections, difficulties, correspondence, and delay.”



I could multiply authorities to the same effect were it necessary ; but all may be summed up in the aphorism of Lord Brougham, that "the possession of land in small parcels is a luxury in which a very rich man may indulge, but is ruinous to a man of small means."

What I have quoted will suffice to show to the meeting that the "uncertainty, complexity, delay, and costliness of the English system have a common origin in the retrospective and dependent character of titles. The work of examination, from its peculiar intricacy and responsibility, can only be entrusted to gentlemen expressly, and at great expense, educated to the business. Hence the costliness—such a title is a chain no stronger than its weakest link—hence the uncertainty. Every time the property is dealt with the ancestral line of parchments must be reperused, and a fresh genealogical tree, under the name of an abstract, drawn at full length from the root to the last leaf of its parchment foliage. Hence the delay.

The first essential, therefore, in any measure for the reform of the laws relating to the transfer of real property, must be to cut off the retrospective dependent character of titles, thereby removing existing complexities. The next essential is the substitution of a method of conveyancing, under which future dealings will not endure fresh complications. Both requirements are secured in the Australian Colonies by substitution of "title by registration" for "title by deed," applying to the transfer of property in land the same preamble, and to a large extent the same methods under which for more than a century our dealings with property in shipping and in stock have been conducted with safety and satisfaction.

Procedure in first placing lands upon the "Register of Titles."

Lands are brought under the system upon the application of any person claiming to be the person on whom the fee simple is vested either at law or in equity. These applications, together with the deeds and other evidences of title, accompanied by plans of the lands furnished by licensed surveyors and certified correct by statutory declaration, are submitted for examination to a barrister and to a conveyancer, who are styled "examiners of titles." These gentlemen are specially retained by the Government, and are not allowed private practice. They examine the titles precisely as they would do on behalf of an intending purchaser under the old law. They report to the "Registrar," or "Recorder of Titles," as he is styled in some Colonies. 1st. Whether the description of the parcels of land is definite and clear; and in this they are assisted by a land surveyor and draughtsman. 2nd. Is the applicant in possession of the property? 3rd. Does he appear in equity and justice rightfully entitled thereto? 4th. Does he produce such evidence of title as leads to the conclusion that no other person is in a position to succeed against him in an action for ejectment? Should the applicant fail to satisfy the examiners in these particulars the application is at once rejected, without putting him to any further expense. Should the applicant, being in possession, be enabled to show such a title, although the evidence he adduces might not be sufficient to enable him to oust a tortuous holder in possession, or to compel an unwilling purchaser to complete, the examiners would report the case to the Registrar, with recommendation that notices should be served, and the claim advertised more or less extensively, according to the nature of the case and the domicile of the parties likely to be interested.

Notices are served upon the persons in possession, upon such persons, if any, as the examiners may indicate as

likely to be interested either at law or in equity, and who have not joined in the application, and also upon the owners and occupiers of contiguous land.

These notices set forth the purport of the application, and intimate that unless objection be made by lodging caveat within the time prescribed by the commissioners, the land will be brought under the provisions of the Act, and indefeasible title granted to the applicant.

If within the time appointed caveat be lodged, the action of the Registrar is suspended until it be withdrawn, or until he receives the final judgment of the supreme court upon the question raised.

If no caveat be lodged within the prescribed time, or if caveat so lodged be withdrawn, or set aside by the final judgment of the court, the land is brought under the operation of the Act by the issue of certificate of title, vesting the estate indefeasibly in the applicant.

These certificates are in duplicate. They define the land in respect to which they are issued by description and reference to the ordinance maps of the district, and where necessary by diagram on the certificate. They set forth the nature of the estate of the applicant, whether a fee simple or limited owner, and notify by memorials endorsed all lesser estates, leases, charges, or interests current and affecting the land at the time. Ample space is left for the endorsement of subsequent memorials, recording the transfer or extinction of these, and the creation, transfer, or extinction of future estates or interests.

Under this method the jurisdiction of the ordinary courts of the country is left undisturbed. No special court, such as the "Estates Court, Ireland," with its enormous expenditure, is required, and the applicants are not subjected to the expense of putting the paraphernalia of a court of justice in motion, unless there be some adverse claim to be adjudicated upon.

The record book is the pivot upon which the whole mechanism turns. It is compiled by binding together the duplicates of all conveyances and declarations of title issued by the Estates Court representing the freehold, each of which constitutes a distinct folium, consisting of two or more pages, set apart for recording together the memorials of all future dealings, whether with the freehold or any lesser estate or interest in the land represented by the conveyance or declaration of title until a change of ownership of the freehold is registered. When this occurs, the existing declaration of title or conveyance is cancelled, the existing folium of the record closed, a fresh declaration of title issued to the new proprietor, and a new folium opened in the record book, upon which are carried forward the memorials of all lesser estates, interests, and charges affecting the land, and continuing current at the time of recording the change of ownership of the freehold. In order that no more than one folium of the record may be kept open for any one parcel of land, it is enacted that, upon bringing under the system an estate in "fee-simple" or "fee-tail" in any land in respect to which a folium of the record has already been opened for a "leasehold interest," the Recorder shall close such folium, and carry forward memorial of such leasehold upon the folium opened, by recording the fee of such land.

Marking with the volume and the folium of the record constitutes recording of a declaration bringing land under the Act. Entry of memorial of any transfer, charge, or dealing, whether affecting the fee or any lesser estate or interest, upon the folium of the record constituted by the existing declaration of title of any land, constitutes recording of such transfer, charge, or dealing. Recorded estates are held subject to such charges, liens, estates, and interests as are notified on the folium of the record,

constituted by the declaration of title, but free from all other charges, liens, estates, or interests whatever, and are indefeasible, except when the recording has been obtained by fraud; and the recording of a transfer or charge, *bona fide* for value, is indefeasible, even though it be from or through a transferrer who obtained entry on the record fraudulently.

Printed forms of contract, with full instruction for the guidance of parties dealing, are to be supplied at the Lands Titles Office, and at the principal stationers' shops. These instruments must be filled in duplicate in a legible hand. All covenants essential to the existence, use, and enjoyment of estates and interests which are the subject of the contract, are declared to be implied. Certain usual, though not essential, covenants may, by the use of brief forms of words, to which specific signification is given, be stipulated as fully and effectually as if set out at length. It is also declared that, unless inconsistent with the context, the describing of any person as proprietor, transferrer, transferee, mortgagor, mortgagee, lessor, lessee, &c., or as taking any estate or interest in registered land, shall include his heirs, executors, administrators, and assigns. Whenever the concurrence of any person interested is required in any instrument, such concurrence may be signified by the words, "I consent hereto." By these provisions prolixity and verbiage are avoided.

When the property to be dealt with comprises the entire of the land, included under any existing declaration of title, or comprises the entire of any allotment or allotments in any township, a plan of which has been deposited, a reference to such declaration or plan for the description of the property will suffice, and a diagram will not be required. When the property to be dealt with comprises part only of the lands included in any declaration of title

or allotment, the portion to be dealt with must be minutely described and delineated in a diagram accurately drawn to scale on the instrument, or annexed thereto, certified by statutory declaration of a licensed surveyor.

If the contracting proprietor does not attend personally at the Lands Titles Office and execute the instrument in presence of the Recorder, then the execution must be attested by a legal practitioner, or else the contracting proprietor, or the person who attested his signature, must acknowledge or prove the execution of the instrument before a notary public, justice of the peace, or commissioner for taking affidavits, who will test such acknowledgment or proof by a certificate to that effect, under his hand and seal endorsed upon the instrument.

These instruments of contract, even when executed as above described, do not pass the estate or interest, but merely constitute the authority to the Recorder for entering the memorial of the transaction in the record. For this purpose the instrument may be presented at the Lands Titles Office, or forwarded through the post. Upon receipt of these instruments, the Recorder enters the recording memorial on the proper folium of the record, and on the instrument evidencing the title of the recorded proprietor; he then endorses the instrument with a memorandum, certifying the date of recording and the volume and folium of the record where the memorial has been recorded.

Entry on the record is the essential which gives validity to transactions. The memorandum certifying recording, endorsed upon instruments under the hand and seal of the Recorder, renders them conclusive evidence of title in all courts of law and equity. Recorded instruments are declared to be constructively embodied in the record, and one original of each is filed in the

Lands Titles Office, the other being returned to the party entitled under it. Recorded interests take priority one over the other according to the date of recording, and not according to the dates on which the instruments of contract are executed.

**LEASES.**—Leases for any period exceeding three years must be recorded in order to give them validity. The declaration of title representing the fee must be deposited at the Lands Titles Office with the contract for lease. The Recorder, after entering memorial of the latter instrument in the record, will enter the like memorial on the declaration of title, and endorse the contract of lease, both original and duplicate, with a memorandum of the day and hour when the same was recorded. The declaration of the title representing the fee will be returned to the proprietor when endorsed with memorial of the lease. One original of every lease will be deposited in the strong-room of the Lands Titles Office. The other will be given to the lessee. The entire cost of leasing does not exceed 10s., and a registered lease may be transferred or surrendered by a simple endorsement at a cost of 5s.

**CHARGES.**—No portion of the system has made so sweeping a change in existing practice as that which relates to mortgage. The old fiction of transferring the legal estate is abolished, and the object is accomplished by a direct instead of by a circuitous course. “Mortgage and encumbrance have effect as security, but do not operate as a transfer of the land thereby charged, and in case default be made in the payment of the principal sum, interest, annuity, or rent-charge thereby secured, or in the observance of any covenant expressed in any recorded mortgage or encumbrance, or that is hereinafter declared to be implied in such instrument, and such default be continued for the space of one calendar month,



or for such other period of time as may therein for that purpose be expressly limited, the mortgagee or encumbrancee may give to the mortgagor or encumbrancer notice in writing to pay the money then due or owing on such mortgage or encumbrance, or to observe the covenants therein expressed or implied, as the case may be, and that sale will be effected unless such default be remedied, or may leave such notice on the mortgaged or encumbered land, or at the usual or last known place of abode of the mortgagor or encumbrancer, or other person claiming to be then entitled to the said land or with his known agent." In such case the recorded proprietor of the charge may sell, and should the sum be inadequate to cover the amount secured, he may foreclose without further expense or delay, by producing to the Recorder evidence that the requirements of the law in respect to notice have been complied with, and that sale has been duly advertised, accompanied by affidavit of a licensed auctioneer, certifying the inadequacy of the highest bidding.

Charges are released by memorial entered on the appropriate folium of the record, and upon the declaration or other instrument evidencing title, which memorial the Recorder is required to make upon production of receipt for the sum of money, annuity, or rent-charge; or upon production of evidence of the decease of the annuitant; or that the circumstances or conditions upon the occurrence of which the charge was contingent, have ceased to be possible.

These charges on land are transferable by endorsement in a simple form, printed on the back of the instrument, evidencing the charge; and, as the title is indefeasible, they pass as freely as Exchequer bills between parties acquainted with the value of the property to which they attach. The expense attendant on creating



a charge is but 10s., the cost of transfer 5s., and of release 5s. The proprietor of the land may, if he thinks fit, upon payment of a further sum of 20s. and surrender of the existing declaration, obtain a fresh declaration of title, cleared of the memorials of all extinguished charges. Equitable mortgages for the purpose of securing cash credit, and advances for fluctuating amounts, and also when parties desire secrecy, are created under this system with a degree of security and facility for realising unattainable under the English law of conveyancing.

In order to transfer any estate or interest in recorded land, the declaration or other instrument evidencing the title of the transferrer must be deposited, together with the form of contract for transfer. The Recorder will then enter the memorial of transfer on the proper folium of the record, which act passes the estate or interest. If an estate in "fee simple" or "life estate" be transferred, the declaration of title evidencing that estate is cancelled, the folium of the record constituted by it closed, and a fresh declaration issued to, and a fresh folium opened for, the transferee. Memorials of leases and charges, if any, current and affecting the land, are carried forward on each fresh declaration of title issued and fresh folium opened.

Entails are effected by a similar procedure prescribed in section 58. The recorded owner executing a form of transfer to himself or any other person for life, with reversion to others in succession, with or without powers of appointment, and with remainder over as he may prescribe. In such case the existing declaration of title of the land is cancelled, the folium of the record closed, a fresh folium opened, and a fresh declaration of title issued for life estate. Upon the death of the tenant for life this must be surrendered and a fresh declaration of title issued to the next reversioner for the estate to which he

succeeds, in accordance with the terms of the instrument of transfer, executed by the original settler, as will more fully appear when we come to treat of transmissions.

No notice of trusts can be entered on the record; but a proprietor desiring to settle his estate, through the instrumentality of trustees, may transfer his estate to one or more persons by the procedure above described, and then deposit in the Lands Titles Office for safe custody and reference any instrument declaratory of trusts executed by the transferees, and by caveat prohibit the recording of any dealing except in accordance therewith, or with the sanction of the Estates Court. He may also direct the words "no survivorship" to be entered on the declaration of title, the effect of which will be, that without the sanction of the Estates Court no dealing with the property can take place until any vacancy occasioned by death or otherwise in the original number of trustees has been filled up. Persons beneficially interested in any settled estate may in like manner, by caveat, bar the recording of any dealing therewith, either absolutely or until after notice for a time specified has been lodged at an address given. The cost of transferring the fee, or a life estate including certificate of title, is but 30s.; the cost of transferring a mortgage or a leasehold interest is but 5s.

The procedure above described has been found adequate to meet every requirement without, in any appreciable degree, curtailing the freedom of action heretofore enjoyed by proprietors. The facilities for settling or charging estates without the intervention of trustees, as described above, and under the head of charges, has, moreover, tended greatly to diminish the number of estates vested in trustees.

We have already described the method of posting the "Record," also the various forms of instruments which

constitute the authority on which titles are recorded when dealings take place. These instruments, when recorded, are endorsed with the folium of the record, constituted by the declaration of title of the land, where the memorials of them will be found entered in the order in which they were recorded. They are then numbered in consecutive series: one original of each is handed to the party whose title is evidenced thereby, the other is filed in the Lands Titles Office.

Under this method accumulation of instruments with voluminous indexes, the fatal objection to other systems, is avoided, as each separate estate of interest in each parcel of land is represented, so long as it exists, by one instrument only; and as each instrument necessarily discloses the nature of the property held by the proprietor, with all that a party dealing can require to know, search is unnecessary, except to ascertain the non-existence of caveats; and even that is accomplished without reference to any index, as each instrument indicates the folium where the history of the title is recorded.

The system is metropolitan. Under it a vendor meeting his purchaser, or a mortgagor meeting his mortgagee at Cork, would procure the prescribed form of contract at the nearest stationer's, fill it in, and sign it in presence of a notary. The purchaser or mortgagee would see the exact state of the title upon the inspection of the duplicate declaration in the hands of the recorded owner; and, having ascertained by telegram that there were no caveats prohibiting the dealing, might, with perfect safety, pay over the stipulated sum in exchange for the contract of transfer, or of charge, together with the declaration of title, which he would forward through the post to the capital to be recorded, with a post-office order for the fees, and receive back the instruments endorsed, with certificate of record. In such cases, the

sole advantage of "district" over "central" registration appears represented in the cost of postage and telegrams. As this central method works satisfactorily in the widely-scattered population of Australia, there can be no doubt of its success in this country, where the facilities of communication are so superior.

**BENEFITS OF THE SYSTEM.**—Through the operation of this system in Australia a saving of nineteen shillings in the pound sterling has been effected in the cost of conveyancing. The wealth of the community has been increased by restoring to its intrinsic value, as building sites, land, which, deprived of that special character by imperfect evidence and technical defects in title, lay waste and unprofitable. The value of land as a basis of credit has been raised by the extraordinary facility and security with which equitable mortgages and registered charges are effected, and the ease and rapidity with which the title may be transferred from hand to hand. Through the simplification of titles, so that each freeholder stands in the same position as a grantee direct from the Crown, the risk of Chancery suits have been reduced to a minimum, and a ready and inexpensive procedure in foreclosure and ejectment has been obtained. Frauds, such as those which recently occupied so much public attention in the case of Roupell, are rendered all but impossible. Low as the charges may appear, they already suffice to cover the expenses of the system.

**PROGRESS.**—In Queensland it has entirely superseded the old process of conveyancing. In South Australia the value of the land brought under its operation amounts to five millions and a half sterling. The amount of mortgages secured thereon is over three millions and a half. The number of voluntary applications to place land under its operation has reached eight thousand, and the total number of transactions completed thirty-four thousand.

In New South Wales and Tasmania, where the system has been more recently introduced, the results are equally satisfactory. In the former Colony during the first six months 251 separate properties, valued at £228,250, were brought under it. In Tasmania, the Attorney-General, addressing the House of Assembly with reference to this system, is reported in the *Hobart Town Mercury* as follows:—"Applications almost innumerable had been sent in. Quite recently the Act has been adopted in New Zealand, and I have received from the authorities of British Columbia congratulations on the success of the measure in that remote dependency." In a word the Act was in a fair way of becoming the universal law of property. The advertisements of capitalists and loan societies in the colonial papers intimate—some that preference will be given to securities where the title is under the Torrens' system, others that no advances will be made except on titles under that system.

Mr. FREELAND remarked that the subject before them was one which came home to every proprietor of a cottage, house, farm, or landed estate in this or any other country; and, from the prominent position which Mr. Torrens had held in connection with the subject, there was no better man for bringing it before them. He had told them that the two principal objections raised against his plan were respecting the title and the transfer. The first comprised the difficulty of proving the title to some property, and the second was the simplicity of the method of transfer in lieu of the present costly and cumbrous system. He (Mr. Freeland) must confess that he was more sanguine in respect to the simplification of the mode of transfer than in respect to the beneficial results which might follow from the matter of registration as a means of getting rid of the present cumbrous and complicated state of titles. Mr. Torrens had alluded to the prejudice of the legal profession against a simple transfer. There was no doubt that was perfectly true. With few exceptions the legal world was adverse to the proposed change. Lawyers liked to get a large sum of money out of one transaction; but it would be better if

several sums were obtained out of several transactions. It was, however, not merely opposition from the legal profession that Mr. Torrens had to overcome. The country with which he was more particularly interested was a young one, and free from difficulties respecting titles. On the other hand, in England there had been sometimes incumbrances on property from generation to generation, and also transactions respecting borrowing money upon property, which those who held it were not willing to disclose. All these things would have to be dealt with under the proposed new system of land transfer. There might also be difficulties in obtaining titles or certificates from persons, and, therefore, he was not so sanguine of a reform. He thought, however, that if the plan of Mr. Torrens could be carried out in this country, legal disputes would be diminished, and the value of land increased, and, at the same time, the humble classes, who very properly desired to acquire small parcels of land for their gardens and cottages, would have the facilities for doing so.

Mr. DENNISTOUN WOOD (late Attorney-General in Australia) would not dispute the fact that the question of law reform in reference to change of property was most important, but he would submit that the paper just read was more suitable to a meeting of the Law-Amendment Society than a Colonial Conference. There were laws in England, and also in the Colonies, relating to mining; and, therefore, if it were relevant to read a paper on land transfer in this Conference, it might be said to be equally proper to read a paper on mining. However, as the subject was before them, there were just two remarks which he would like to make upon it. The first was that, although this Act had worked well in the Colonies, it by no means followed it should be literally adopted in this country; and, in the next place, the circumstances of the Colonies were such that the success of the measure in some of our Colonies afforded no guarantee as to the results which might follow the introduction of Mr. Torrens's plan in England. Mr. Torrens, however, had told them that the Act did not work well in Victoria; but on that point he (Mr. Wood) begged to differ from him. He must also differ from him in respect to the statistics which Mr. Torrens had given. Those statistics were fallacious, for four-fifths of the land had been sold before this Act came into operation.

The CHAIRMAN remarked that, with respect to the alleged irrelevancy of this subject, there could be nothing irrelevant in discussing examples of improvement in land transfer in other parts of the Empire.

Mr. N. DARNELL DAVIS (Secretary to the late Commission of Enquiry at British Guiana) said he should like to make some remarks in explanation of the system of transfer which was in force in British Guiana, and which was known there by the term of "Transporting Property;" for though the system introduced by Mr. Torrens was certainly speedier in its operation, he (Mr. Davis) yet thought that their method was, whilst sufficiently speedy, superior in its advantages, of greater publicity, and hence greater security to all concerned. But, before he explained this, he must say that he dissented from the opinion of the last speaker (Mr. Dennistoun Wood) that this topic was one unfit for the consideration of the present Conference, as he (Mr. Davis) thought any one who would go out of the usual course of grievance-mongering, which it seemed the special delight of some to pursue, should be thanked and not censured. Colonists could not denationalise themselves, and they were continually proving themselves Englishmen by having grievances ready on the slightest provocation (laughter). After this slight digression, he would return to the transport system, which, he would state, had been inherited from the old Dutch Government of the Colony. There was in British Guiana an office called the Registrar's Office. In it there was a staff of clerks specially trained to legal knowledge, the superior officers having to pass searching examinations in Roman Dutch law especially, as well as in other departments of law, before the three judges of the Supreme Court. All the law business of the Colony at some time or other went through this office; and one of the most important of its duties was the arrangement of transports. Supposing the sale of a property had been agreed upon, the vendor took his title to the Registrar's Office. It was there examined, and if found good, he was assured that the transport of the property from him to the purchaser would be duly advertised on the succeeding Saturday. This advertisement appeared on three consecutive Saturdays in the official gazette of the Colony, and in one of the colonial newspapers, and it stated that it was the intention of the holder of the property to transport it to the purchaser. Should any person consider himself to have an unsatisfied claim against the holder, he may oppose the passing of the transport. This opposition was noted in a book kept in the Registrar's Office, and called the "Book of Oppositions to Transports and Mortgages," for the same system regulated the passing of mortgages. Granted that no opposition was entered, the transport was then made out, in legal fashion, by filling into a



short printed form the exact description of the property to be conveyed. The parties then came before a judge of the Supreme Court on a day agreed upon between them. The judge looked into the title searchingly, and, if he observed no flaw, passed the transport, as the conveying of the property was termed. The form of transport was then signed by the parties—one as passing, the other as receiving—and by the Judge and Registrar as attesting. For a sum of less than three pounds a property of the highest value might be transferred, and that at the expiration of only fifteen days from the first advertisement. He (Mr. Davis) therefore claimed a superiority for the system of transfer in operation in British Guiana over that introduced by Mr. Torrens, on account of greater security to the purchaser, and the extensive protection given to creditors against the fraudulent making away by their debtors of property belonging to them.

Mr. R. R. TORRENS, in reply to Mr. Dennistoun Wood, stated that his figures were not fallacious. They were compiled from Government books of the highest authority, and he hoped the Conference would give him credit for bringing nothing before them but what was reliable (hear, hear). He would also state that the statistics, as he had obtained them, were to be found in the blue-book of the House of Commons, and, therefore, there was no exaggeration on his part. The reason why the Act was not so successful in Australia was, the lawyers modified it. As to the Dutch mode of conveyancing referred to by Mr. Davis, and which also prevailed at the Cape, he could not but think that a system which confessedly admitted of a month's delay was not so acceptable as the simple transfer he recommended. There was an objection made to the publicity which might be given to matters concerning property under the new system, but Mr. Freeland, who had expressed some concern about this, had no right to assume that the circumstances belonging to the register would be public.



The chair was taken by the DUKE OF MANCHESTER. A paper was then read on—

IMPERIAL AND COLONIAL FEDERALISM.

By MR. FRANCIS P. LABILLIERE.

In attempting to deal with Imperial Federalism one would fain dwell on the many and great advantages, both present and prospective, from English and colonial points of view, of the unity of our Empire. One is tempted to linger to gaze at the splendid vision of a confederation which may become one of the great realities of the future. But this paper is not intended to treat of the advantage of union, that being a subject which could not be exhausted were the whole of these pages devoted to its consideration. What we have now to do is to look at some means by which permanent union can be best secured, and to weigh some of the difficulties connected with it. Time will permit only a few of the leading features of this great question to be noticed. To treat it fully, not a paper, but a volume should be read.

At first sight a federal union of the British Empire may, perhaps, be regarded as a grand but impracticable idea. But, though public attention has only recently been called to it, many have already been brought to believe in it. It has made so much progress in so short a time, that its friends have much to hope from its further discussion. The tendencies of the times favour it. National magnetism has wrought wonders in our days, in drawing together people of the same blood and language; it is one of the most powerful influences of the age. Dynastic interests and provincial jealousies which have stood stubbornly for ages, walling off countrymen from countrymen, have yielded to it in Germany and Italy. Shall we, then, be told that it will be more

difficult for us who are united, to remain so, and to cement our union, than for those who have been separated for generations to become united? While the ties of all the other great families of the human race are becoming stronger, shall those of ours grow weaker and fall asunder? Shall we furnish the only exception to the rule of the unity of kindred people?

Before attempting to suggest some modes of organising a confederation of the Empire, it will be well to say a few words on the subject being ripe for discussion. Those who give little thought to colonial questions, imagine there is time enough to consider the future relations of the Empire. Such procrastinators, however, forget the rate at which events are hastening. They do not bear in mind how far we have got from the recent past, at the express speed at which we have been travelling. It seems an age, though it was only yesterday, since the question of colonial self-government had not advanced beyond the stage of discussion. Twenty years ago it was a matter for consideration, whether the Colonies were mature enough to take care of their own affairs. Before another twenty years have passed away subjects of still greater importance must be settled. If we do not look well ahead we shall run into the question of the future relations of England and the Colonies, before we have thought about it; for the growth of colonial questions, as of the Colonies themselves, is so rapid, that the mere speculations of to-day will be practical problems urgently requiring solution to-morrow. If even the relations of the Colonies to England and to each other did not demand immediate consideration, wise forethought would suggest that we should think leisurely upon these things; so that, when their settlement can be put off no longer, we shall not have to arrive at a hurried conclusion.

The question of the future relations of England and

her Colonies has grown so fast, during the last few months, that it is fairly pushing its way into the front rank of important questions. Even in very recent discussions of colonial affairs the word confederation does not appear, ideas not having advanced beyond the suggestion of reform in the Colonial Office, and the creation of a Colonial Council like that for India.

In dealing with this important subject at this Conference, it seems expedient that we should not so much desire to win approval for any particular plan, as to have as many plans as possible passed in review; so that it may be evident that there are more ways than one in which our great purpose of cementing the union of the Empire may be attained. This Conference, I take it, has only one policy—the unity of the Empire. Every plan, every suggestion, made with a view to that end is acceptable. Every other consideration should be made subservient to it. We are not here to advocate any particular mode of carrying out this great policy, but simply to suggest. In this spirit it is the design of my paper to treat this question. Though I may have a favourite plan of confederation, I should be sorry to think it the only one possible. The more good systems can be suggested the better we should be pleased. If we thoroughly believe in our great principle, discussion of details alone is needed to ensure a successful organisation.

Two systems of confederation may be suggested, both providing an Imperial Confederate Parliament, in which the whole Empire could be represented, each with merits of its own: the one under which the members representing the United Kingdom and the Colonies in the Parliament of the Empire, would be elected directly by the people; and the other under which they would be chosen by the English Parliament and the Colonial Parliaments, acting as electoral colleges. Were the latter system

adopted, each Provincial Parliament could choose a certain number of members, or where Colonies were grouped in confederations, as in Canada, the Parliament of the Colonial Confederation could elect the members; and thus were Australia and South Africa, as they seem inclined to do, to follow the example of Canada, and were the West Indies also formed into a confederation, the Government of the Empire would be a confederation of confederations, there being only five constituencies returning the Imperial Legislature—namely, the British Parliament, and the Confederate Parliaments of Australia, North America, South Africa, and the West Indies.

The system of making the people the electors has this great advantage, that it would bring the Imperial Confederate Parliament into direct contact with the inhabitants of the whole Empire, and make them feel that its central Government was thoroughly their own. Peace or war made with its approval would be their peace or war; defences organised by it would be felt to belong to them all. It would be able directly to impose taxes; whereas, if elected by the Legislatures, it could only require each of them to contribute a fixed amount to the Imperial revenue.

The system of election by Parliaments could, however, be more easily worked. There would not be the same difficulty in allotting the number of members, to be returned by each Provincial or Confederate Parliament that there would be in determining the number of representatives that the people of each Province, or Colony, of the Empire should send to the Imperial Parliament. Another advantage of election by Parliaments over the other system, would be that a greater number of first-class men would be more certain to be returned; for each Provincial Legislature would pride itself on sending its most distinguished members to the Parliament of the

Empire. Again, the members for each province would be in harmony with its local Legislatures, which would not always be the case were they returned by popular election.

It would have to be considered whether the Imperial Legislature should consist of one or two chambers. Were the Provincial or Confederate Parliaments to elect the Imperial Parliament, and were an Imperial Upper House deemed essential, it might be constituted by the Upper Houses of such Parliaments sending members to it, as the Lower Houses would do to the Imperial Lower House; or by the Crown being empowered to nominate a House consisting of hereditary and life peers, or the members might be partly nominated and partly elected by the Imperial and by the local Governments. Different ways may occur to us which we cannot now stop to consider in detail, but must dismiss with the observation—that it is satisfactory to think that in forming an Imperial Upper House, as well as in framing a constitution for the Empire, we should not be confined to one particular plan. Were the people of the Empire the electors of the Imperial Parliament, it would be more necessary to have a second chamber than were the Parliaments the electors. With the Provincial Chambers acting as electoral colleges, provision might be made for the representation in the Imperial Parliament of their minorities or oppositions. Electoral qualifications might be left to be decided by the Provincial Legislatures. The duration of the Imperial Parliament should not exceed three years; and the outgoing members might retain their seats until their successors could arrive in this country.

Mr. Macfie has given a scale by which the proportion of members for England and the Colonies, in a proposed Council of the Empire, should be adjusted; but he only suggests that it should have about thirty members, and

that Australia and Canada should send only four or five each. Now it is to be assumed that with a Parliament of the Empire an Executive would be required; and in order that there might be statesmen to select from, it would be necessary that the Parliament should at least contain two hundred members.

Why should a confederation of our Empire, framed on either of the systems suggested, not succeed? Is it because our confederation would be greater and grander than any that the world has yet seen? or because our proposed union would carry still further the system of federal government, which, to the extent it has yet been tried, has proved a great success? We see this form of government working well in America, in Switzerland, and just established in Germany under circumstances the most difficult, with a number of dynasties of all sorts and sizes, complicating the machinery of government. Is distance an insuperable obstacle? It has not, in ancient or modern times, prevented the affairs of the most extensive and powerful empires from being administered by one central authority. In an age of steamers, railways, and telegraphs, we should not fear to attempt what, without any such advantages, men of past times were able to accomplish. Sixty days would bring Australian members to London; and it must be remembered that when Scotland and Ireland first sent representatives to the united Parliament, difficulties of communication rendered union not many degrees less practicable than would be that of the Colonial Empire with this country.

It is most important to consider how Imperial Federalism would affect Great Britain. It is quite out of the question that the representatives of the Colonies should sit in the English Legislature. The Parliament of the Empire should be totally distinct. It would be necessary to

eliminate—and it would not be difficult to do so—all local questions, and hand them over to the complete control of the Provincial Legislatures, and to give the Imperial Legislature the complete control of all Imperial questions. Many may at first be startled at the suggestion that the English Parliament should give up the direction of Imperial affairs. Mr. Jenkins has shown how little it occupies itself with them. It would therefore abandon nothing upon which it seems to set a high value, judging by what most absorbs its attention, were it to hand over Imperial affairs to a really Imperial Parliament. No questions affecting interests outside the United Kingdom draw good houses, unless they relate to some Continental difficulty, or involve a ministerial crisis. The Parliament of these kingdoms would lose none of its debating renown were there also sitting in London a Parliament of the Empire. The existence of such an assembly, however brilliant, would not have diminished the fame of the debates on Reform, Free-trade, the Irish Church and Land Questions—subjects of the highest, but still only of provincial, importance.

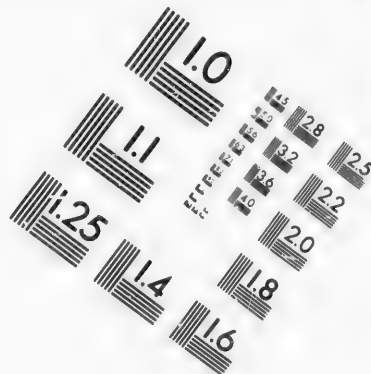
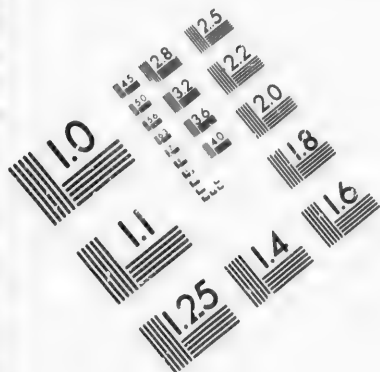
It may be objected that were England and her Colonies united in a confederation, the action of the former with respect to European questions would be fettered. "So much the better," some will be disposed to answer. "It would have been well in the past had some influence kept her from being so much entangled in Continental affairs." However that may be, she will lose little in the future by identifying herself less with them, and more with the concerns of her own people. It is the duty of the head of a family to look to the interests of its members, rather than occupy himself with his neighbour's concerns. It is the duty of England, the head of the great Anglo-Saxon family, to look less to the Continent, and more to her own world-wide people.



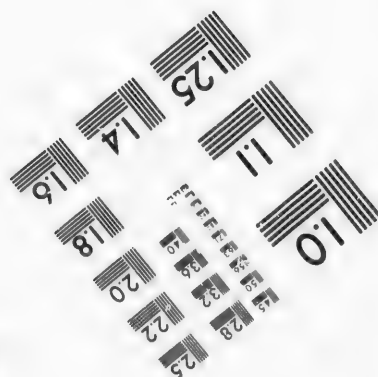
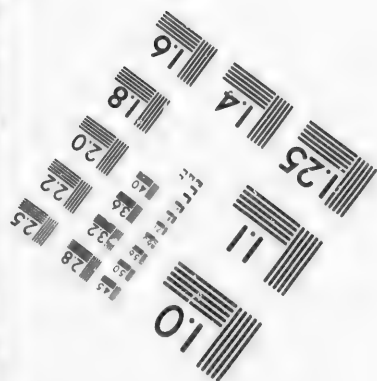
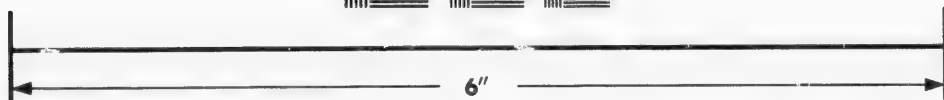
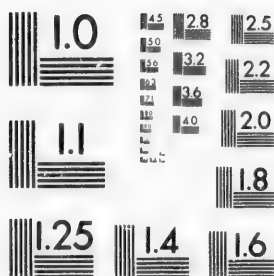
Duty and honour demand that she should bestow on them her first and highest care. She may well give up—and she will lose little by doing so—meddling in Continental affairs, and contracting European obligations other than those by which she is already bound, for the sake of the additional strength and prestige she will derive by turning her Empire into a great confederation. Besides, were there no such reason, circumstances must compel her to abandon the Quixotic policy of guaranteeing the neutrality, and independence, of patches of territory here and there on the Continent, surrounded by States with gigantic armies. She does not profess to be a great military power, but if she is to contract such obligations she must become one; she must place herself in a position to be able to throw armies, of three or four hundred thousand men, on to the Continent at a few weeks' notice; she must apply the Prussian military system to her entire population. England's honour is often invoked to induce her to compromise, by embroiling herself in foreign disputes, those interests of which she ought to take the greatest care; but honour among nations, as among individuals, requires that duty should be done to those who are nearest and dearest in relationship, rather than to those who have no natural claim to its performance.

Were an Imperial Confederation to be now formed, all its members would unhesitatingly acknowledge the right of England to the largest influence in it. She would be entitled to return a greater number of representatives to the Imperial Parliament than all the others combined, on the principle that, being the most populous and powerful, as well as the parent, State of the Empire, she ought to have the most influence. She would therefore, for years at least, have the preponderating position in the Imperial Confederation, such as Prussia holds in the German Confederation. Prussia occupies a grander position since





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she has been merged in Germany than she ever did before ; so would England were she merged in a confederation of her Empire.

With local affairs completely left to Provincial Legislatures, the questions with which the Imperial Confederate Government would have to deal almost entirely range themselves under the heads of defence, peace, war, and diplomacy. To give the Colonies the voice in these, to which they will in future be entitled, confederation is indispensable. As the Colonies grow their right to be heard on questions, as vitally important to them as to Great Britain, will become more and more apparent. It would be unjust that they should be liable to all the consequences of wars in which they had no voice. This consideration has already excited attention, and the suggestion has been made in the Colony of Victoria that the Colonies should be neutral in wars between England and other powers. This seems impracticable. No power would be likely to consent to any kind of neutrality, which did not allow England's foes all the advantages international law permits belligerents to derive from foreign territories.

Defence would be the great purpose for which a confederation would exist. The Federal Government would have to adjust equitably the share each section of the Empire should bear in the general defence. Were the burden of each thus allotted, any undue weight now borne by England or any Colony could be easily rearranged. In the future the result would be that each of the four or five great sections of the Empire would contribute to its common navy a force sufficiently strong to protect Imperial interests in its own waters ; and this would greatly lighten the burden of all ; England would maintain a proportion sufficient to protect these interests in European waters, Australia in the Pacific, South Africa in her quarter of

the Empire, and so on ; whereas if each stood alone it must, in order to maintain the position of a great power, keep ships both in its own waters and in foreign waters, and consequently the burden of each section of the Empire would be much greater were it thus to provide the whole of its own defence, both at home and abroad, than if it were only obliged to contribute to a joint system of general defence. Had we some federal authority the Colonies would even now be ready and willing to contribute a few ships to an Imperial navy. Victoria has for some years kept up a war vessel ; and recently a question arose whether it should be under Imperial or colonial control—a difficulty which would have been impossible had there been a Federal Government.

Our Empire, Canada excepted, being unassailable by land, local militias would for the most part supply the land defences ; the Imperial army therefore need only be small, and its cost would be a mere cipher distributed among the sections of the Imperial Confederation. Whether the Colonies are regarded from their present state of maturity, or from a more advanced stage, they will be much greater confederated with England and each other than standing each by itself. No section of the Empire, not even Australia, can expect to overtake the United States, which have got the start by so many years, and by so many millions of inhabitants, till many generations have passed away, till the American continent has become an old country, oppressed with the weight of a superabundant population. England, too, peopled up to, or beyond, her capacity to bear population, and with resources so highly developed as to seem scarcely to leave room for any further extension, cannot expect to occupy among the great Powers of the future the position she now holds, unless she can gather her children around her, her fair daughters and stout sons—her Colonies. But

if she can, she and they, instead of being divided and disregarded, will be acknowledged as undoubtedly the first power on the face of the earth. With such a prospect, both English Britons and colonial Britons should try every possible plan of federation till they succeed—and, with their hearts set on the great object, succeed they will, God willing—in placing the unity of the Empire on a durable basis, and giving it an efficient organisation.

A word as to Colonial Federalism. It will undoubtedly render the relations of groups of the Colonies more satisfactory between themselves, as Imperial federalism will make those of the whole Empire. It has been successful in Canada, and is now under consideration and likely soon to be adopted in Australia and South Africa.

The appointment of viceroys of confederations and of governors of Colonies could be made by the Federal Government; and there would be a much better guarantee that men so appointed were in every respect fit for their positions, than there can be under the systems of selecting the head of the State by hereditary succession or popular election.

It is very desirable, but not absolutely essential to the success of an Imperial Confederation, that the fiscal policy should be similar throughout. Though a thorough free-trader, deploring, on Imperial as well as on colonial grounds, the adoption of protection in the Colonies, I believe that the different provinces of the Empire may even impose protective duties upon each other's goods without interfering with the union.

With a confederation, too, there might be one great Imperial court of final appeal for the whole Empire.

In conclusion, how are we practically to bring about our federation? Are we to wait till we have got a perfect constitution upon paper? Such a confederation as we

desire seems more likely to grow than to spring all at once into existence, to be the result of progressive development. Things infinitely more unlikely to succeed have been produced by efforts from which much less than we have good reason to hope for, was at first anticipated. Who, till parliamentary experience had evolved the system of responsible ministries, would have believed it a possible mode of government? We may, therefore, have to feel our way to a confederation of our Empire. We shall have to go by steps, though they must not be too slow. A Council of the Empire has been suggested. Perhaps it would be the best thing to begin with, were it called into existence merely to prepare the way for something better. It might be entrusted with the task of constructing a federal constitution. It matters comparatively little, however, how we begin, so as we delay no longer, but set about the work in good earnest. The bonds of unity must not press too tightly, they must not interfere with complete local self-government, but they must be tight and strong enough to hold us together, to keep us shoulder to shoulder, for purposes of mutual support and defence, to give full expression to the wishes of all our people on questions of importance to them all. It is time that the foundation of the great structure was laid, that men of the same blood and language, in England and the Colonies, should be aroused to a high sense of the great destiny which, with the blessing of "Him who raises and pulls down nations at his pleasure," may be theirs; for if our Empire be consolidated, it will eclipse in splendour all the empires of the past, and will stand unrivalled among those of the future.

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The EARL of AIRLIE opened the discussion. His lordship said they must all have listened with pleasure to the address just

delivered, but he must confess that the subject was one which appeared to him to be beset with many difficulties, and he regretted that he did not see these difficulties removed by any suggestions which Mr. Labilliere had made in his paper. If he (Earl of Airlie) understood the scheme aright, the writer proposes to have an Imperial Parliament in London, with representatives from all parts of the Empire, such Parliament being superior to the present one, which, in its turn, was to devote itself to matters pertaining to home rule alone. But this very scheme brought them face to face with one of the greatest difficulties. There could be no control over the legislation of a Confederated Parliament, and, what ought by no means to be overlooked, the present obligations of England, in respect to the Continent, could not be neglected or forgotten. England was solemnly pledged to protect certain interests involving the peace of Europe, and it was not easy to expect that in the formation of a federation of power, all members of the federation would like to become responsible for the maintenance of what England had guaranteed.

Mr. TRELAWNY SAUNDERS (India Office) thought it was an augury of success to the accomplishment of a great Colonial Empire that the discussion of the subject, whereby it might be made practicable, should have arisen in England (hear, hear). And respecting its attainment, it seemed to him that the great difficulty that lay in the way of the accomplishment of a confederation of our Colonies rested with Englishmen themselves. He believed that unless England was prepared to forego her Imperial Parliament, the higher and closer union of her several States in place of the present half-developed system was a thing which would never be accomplished. Let Englishmen at home make up their minds to a great alteration of the present parliamentary system, and then, like laying the axe to the root of the tree, the difficulties to the attainment of a great confederation which would be the pride of all our race, would fall (hear). With the exception of the United States, the Empire would comprise all the English-speaking people of the globe, and the greatness and the power of the Empire would produce incalculable good to every institution and every subject of the realm (cheers). Every Englishman and every colonist desiring to see the great change accomplished—and which was coming over the minds of the people of these realms like a mighty and irresistible tide—must set himself vigorously to work. Present evils were remediable, and when once a comprehensive view of the confederation was obtained, he beguise of difficulties would vanish. It was his opinion that

the desired object could be attained, and he rejoiced in the impetus which the excellent paper that had been read would give to the subject. He had thought of the matter and talked of it amongst his friends, and this was perhaps an excellent way to work out the practicability of the great object in view. The question of defence was one which lay at the foundation of the scheme. It was a question of a nature common to all parties concerned in the proposed confederation. It seemed to him that we had not paid sufficient attention to our sea-board. He would like to see this better attended to, and also to see a good system of gunboats, manned by volunteers. We should thus have two good systems of defence.

Mr. W. F. VESEY FITZGERALD argued that the statements of Adam Smith and Goldwin Smith, against the relations of dependencies to the mother-country, did not apply to an improved system of relationship. On an improved system being established, suitable institutions would naturally by degrees establish themselves. Healthy federations were the result of growth, and were not formed suddenly. They had to progress to perfection. The subject, as he had previously intimated, had been one of interest to his mind for the past fifteen years, during which he had been in favour of a Colonial Court of Privy Council, and of an Advisory Assembly of the representatives of the opinions of our dependencies, in London. It was his opinion that something of this kind, would solve the difficulty experienced by the present unsatisfactory state of things.

Mr. R. R. TORRENS, M.P., said the question raised was one of extreme interest. It might have been beneficial to the British Empire had it been adopted from the beginning, but it now seemed to him that we had got institutions so settled down that they were ineradicable, and that we could not even graft upon them what was proposed in order to effect this scheme of confederation. It was different with the United States of America. We had in this country a responsible Government which might be turned out whilst the Conference was sitting. In America the power was despotic. It was difficult also for him to conceive of the two branches of our Legislature—Lords and Commons—submitting to such a sweeping change, and therefore he really thought that however admissible the proposition was, and however plausible in some respects it seemed, it was a matter impracticable, and we might just as well try to annex the moon as endeavour to take the reins of government out of the hands of the Lords and Commons as now constituted. The mistakes which had been committed had not



arisen, in his opinion, from the want of an Imperial Parliament as suggested, but from ignorance of the Colonies when subjects connected with them were dealt with, and this was through a want of better information by colonial secretaries and other officials. As to the withdrawal of troops from the Colonies, he could not join with those who thought we ought now to look to the advanced state of naval affairs for the protection of the Colonies and British property in them. He was aware that the command of the sea now depended on good depôts for coals at which our vessels could re-coal. At King George's Sound, Australia, for instance, there was an excellent coal depôt, and our steam war-vessels could, after cruising about, enter the port to re-coal; but was it not a fact that there were many British ships in colonial harbours? And to whom did the cargoes of vessels belong in such ports? The freights were owned by British merchants before the vessel left her moorings. Such property required protection, and he therefore believed that we had made a great mistake by withdrawing our artillery from the Colonies. It was the duty of the Imperial Government to protect such ports, not for the sake of the Colonies alone, but for the sake of the property of Great Britain lying there (hear, hear).

Colonel HENRY CLINTON said this question had occupied his attention since 1840. Ever since that year he had studied and talked over the best plan by which the Colonies might be represented in Parliament, not only in the House of Commons, but in the House of Lords also. This appeared to him to be a necessity, for at present our extensive and wealthy Colonies were unrepresented in the great councils of the nation. There was a quotation in Horace, to the effect that a power fell by its own weight. This was the case with the Roman Empire, and if we did not take care, it would be so with our own, and that by allowing the Colonies to fall off, which we were now foolishly doing. Our statesmen should have asked themselves long ago, "Shall we forget the disastrous consequences arising out of the separation of the Roman Empire into eastern and western divisions?"

Mr. EDWARD WILSON said it was his impression that the question of some form of federal government was a great deal more urgent than was believed, and he thought they should all attend well to what Mr. Labilliere had stated in his paper, as that gentleman had evidently well studied the subject, and came before them with a definite scheme. Now he (Mr. Wilson) had studied colonial questions, and asked himself, "What will be the result of the break-up when it comes?" for come he believed it would (hear,

hear). One gentleman who had large experience of the question thought that all that was required was to have a body of most respectable and reliable men, who should assume a sort of diplomatic position for dealing with matters of legislation, and thus avoid the mismanagement of the present system. They all knew that lands had been handed over to a comparatively few persons—land having an area equal to half of Europe. These lands then belonged to the Crown of England, and he hoped they still belonged to it, notwithstanding the change (hear, hear). He felt grieved at heart, for it was a matter of great pain to him that such large tracts of land had been sacrificed. It had been his lot to live most of his life among the best-fed and best-clothed of Englishmen on the face of the globe, and accustomed as he had been to see men sit down three times a day to a meal of meat, it was a matter of great grief, now he had returned to the mother-country, to find men who knew what the sharp thorn of hunger was—to see them badly paid for long, weary hours of hard labour, and with no other prospect before them than the poorhouse looming in the distance. When he thought over these things, and knew that England possessed such vast Colonies of yet uncultivated land, and when he considered that hundreds of thousands of acres had been made away with by the scratch of a pen of some Under Secretary of State, he was grieved beyond all description (hear, hear). Well, then, the question was, federal government. He thought, however, that the idea of adding to the troubles of the British Parliament, by sending in a lot of colonial representatives, would not be beneficial. The British Parliament had enough of representation already, and had quite sufficient work to do. To amend matters, Mr. Labilliere started off with an intelligent scheme, and it must be admitted that it would be a delightful thing if it could be achieved. But in his opinion the scheme was not practicable. He would, nevertheless, like to see an Imperial Parliament, dealing exclusively with Imperial questions in an Imperial spirit; for we see now Parliament discussing whether a certain apartment is a vault or a chamber, and whether one part of Hyde Park is more grassed than another (laughter). We wanted something to sweep such vestry matters out of the Legislature. Questions of only local importance were continually being discussed, whilst a half-dozen vestrymen could more readily settle them.

Mr. WHALLEY, M.P., asked if the power to deal with waste lands had not been surrendered by some scratch of the pen—as it was described—how could Parliament have dealt with them satisfac-

torily, constituted as it was? There had been a question in Parliament as to whether the Thames Embankment belonged to a particular portion of the community, when it was decided that the ground was the property of the Crown, to be disposed of only for the benefit of those approved of. He was not a colonist, but he thought the question at issue might be disposed of like that of the Thames Embankment. On the whole, therefore, he could not but think that the policy of England in respect to the Colonies had been liberal and generous, and was carried out in a liberal and self-sacrificing spirit.

Mr. EDWARD JENKINS said it was important that, in attempting to criticise such a paper as that read by Mr. Labilliere, it should be remembered that all we could do was to show what the conditions of federalism must be, if it were proved to be suitable to the prosperity of the Empire. Now, last night he endeavoured to show what Mr. Wilson, who was a man of far more experience than many, had already testified, that the present relations between the Colonies and the mother-country could not long be maintained. They had also seen that the question of federalism was one which was becoming more and more a practical one; and they also saw that every year, and he might add every month, the Imperial Parliament seemed to be making more and more fatal concessions and declarations with reference to the kind of policy which on colonial matters was likely to be pursued. If they believed it would be a policy which would be injurious, they ought to begin now and see if something better could be substituted (hear, hear). Until they had awakened the mind of the whole Empire on the subject—until they had aroused men to see the evils which stood in the way—it was impossible to propound any scheme against which such men as the Earl of Airlie, Mr. R. R. Torrens, and others could not object. If that was so, they might get rid of some of the arguments brought forward this afternoon. Mr. Torrens, for instance, said it would be impossible to induce Parliament to give up its rights of legislation as Lords and Commons. If he was right, it was useless to argue; but until they had ascertained whether the English Parliament was likely to continue so thick-headed as that, they might stand their ground (hear). It was also equally to be admitted that until they had shown that the Colonies were likely to give up something on their part, the subject would not be practical at all. But what they had to do now was, to touch the chords, and see if they gave out an uncertain sound; and if they did, all they could do was to retire, and wish it had been other-

wise. What he thought their particular province to do was, to look at the history of federal governments, and see which of any form suggested was most practicable. If they referred to the two methods which Mr. Labilliere had thrown out—and the broaching of these two methods showed that he had well studied the subject—they would have something for their guidance. One was the form of federal government which consisted of an aggregation of other governments, each of which sent members to represent it in the federal council, and paid its quota into the federal treasury. It had been pointed out that that form of federalism had many dangers. The chief danger alleged was that there might come a collision between a local and the Imperial Government. But if we looked at the United States we saw the other form, where they had not only local governments, but also representatives in the central government. If we reviewed the working of the whole plan, how very strong was the tie which bound them together. It was one time a question during the late war whether Pennsylvania was going with the North or South; yet when the time came, and it was found that all the great Northern States were in favour of the Union, the effect was so great upon the public mind, that he remembered hearing one man, who was a judge in Philadelphia, and who had previously declared the right of secession, repudiate the very words he had spoken but three weeks before. Now suppose that had been a separate government, instead of one simply allied together with others, that government would have gone with the South; it would have been cut off from connection with the Union, and a sad state of things would have followed. Before the United States were formed into their present constitution, they were joined in an impracticable bond. Each State acted in its separate interest. His belief was, considering the peculiar conformation of the British Empire, that the form of a real federal union, and not the mere consensus of a number of governments in a federal treaty, would be the only hopeful form in which any federation could be brought about. If they started upon the basis laid down the other night—the unity of our race—he was certain that if they appealed to the people of our Colonies, they would respond with all heartiness; and he was also equally certain, if colonists appealed to us, we, the English people at home, would also respond with equal enthusiasm.

Mr. DENNISTOUN WOOD was of opinion that such was the growth of the Colonies that in a short time it would be too late to make the alterations proposed, whilst at the present time a union might be

effected without much difficulty. Let them look, for instance, at Victoria, a division of Australia. In 1851 the population was 70,000, but now it was nearly 700,000. The area of land in occupation was last year 9,530,638 acres, and the number of holdings exceeding one acre 34,842. There were 8,677,947 acres enclosed, and 919,014 under tillage. Comparing these figures with the corresponding numbers of the previous year, it was found that the number of holdings had increased by 1,628, the amount of purchased land by 291,676 acres, Crown land in occupation for non-pastoral purposes by 389,476 acres, and the total area in occupation by 681,152 acres. The amount of land enclosed was increased by 623,324 acres, and that of land under tillage by 81,481 acres. These figures showed the rate, or he might say rapidity, with which Victoria, as a sample of our Colonies, was increasing. Let them also look at the United States, and bear in mind that they were being developed with wonderful rapidity. When they separated from the mother country the population was only 5,000,000, but now it was 60,000,000, about double that of the United Kingdom. There was no doubt that in due time the navy of the United States would be superior to that of England. Men must be awakened by such truths as these, and the conviction of a grand federation of States, forming a British Empire by the union of our Colonies with the mother-country, for Imperial purposes could not longer be resisted (applause). He approved of the remarks of Mr. Jenkins as to their duty to touch the chords, for there was a duty for all men interested in the Colonies and the prosperity of England to perform, by directing public attention to the future. It was perhaps not material at present to go into the question of what should be the form of the federation which men of intelligence were beginning to desire; but, keeping our eyes on the future, agitate the question amongst our friends by asking, "Is it desirable that some form of federation should be established?" and, if so, should not the details of the plan be left for after-consideration?

Mr. FREDERICK YOUNG said the impression of his mind was that what was now desirable was the sympathy of all parties, both in the Colonies and in England, towards the attainment of some description of federation. He felt convinced that the public mind was ready to entertain the question; and all that was wanted at present, was some means for directing or moulding public opinion on the subject (hear, hear). It appeared to him that if the feelings of all Englishmen were ascertained—whether living in the mother-country or in the Colonies—the result would be favour-

able towards a confederation, and means would be found for accomplishing what was desired. Reference had been made to the lands of the Colonies, and Mr. Wilson had said what was very true, that the lands had been carelessly and without sufficient consideration given up by the mother-country. Mr. Whalley, however, endeavoured to defend the actions of the Government on this point, but it was perhaps too late now to raise the question, and he (Mr. Young) did not think that it would materially affect the matter at issue. All he rose to say was, that it was desirable to ascertain the state of public opinion on the subject of federation; and, from the discussion which had followed the paper, it seemed that there were some difficulties in the way of obtaining such federation, but they were far from being insurmountable.

Mr. STRANGWAYS was of opinion that the question would have to be dealt with by practical men, able to look at all its bearings. It had not escaped his notice that speakers had dealt with the question from an Imperial point of view alone, and scarcely made a reference to the colonial side of the question. Now what would confederation give the Colonies? He failed to see that it would be of any practical benefit to them. The suggestion that had been made, that there should be a sort of federal council, reminded him of the Federal Customs Union in Australia, which did not work well, owing to the jealousies of the various parties interested. He would not detain the attention of the Conference longer, but would ask them simply to look at the matter from a plain practical point of view, and not be led away by sentiment.

Mr. LABILLIERE in reply began by noticing the assertion of Mr. Strangways that the colonial side of the question had scarcely been referred to, and observed that, among considerations of great importance to the Colonies, alluded to in the paper, was the following, upon which Mr. Wood had also dwelt:—The United States of America had got so far the start in population, that Australia, though a large country, must, if independent, for years remain a second-rate power compared with the United States; whereas, if she continue connected with England, she would form an important part of the greatest Empire in the world. Now, with respect to federation, Mr. Jenkins had pointed out that the most substantial form would be one in which the people of the various States should return members to the Parliament of the Empire, and he instanced the case of America. But he (Mr. Labilliere) assumed that our confederation need not be so close and complete as the federation of the United States. We should not require that our

system of administration and laws should be similar to those of the American Confederation. Our union would be for purposes of defence and foreign relations. He therefore believed that a confederation of Governments was practicable for our Empire; but the system he preferred, and which, he believed, was also practicable, was that thorough representation contended for by Mr. Jenkins. It was said by one gentleman that he (Mr. Labilliere) had not dealt with India, and it was desirable that India should be included. He did not refer to India for the reason, that he confined himself to the question of a union of peoples speaking our own language, and who were of our own flesh and blood. If it could be arranged for India to be in the federation, so much the better; but if such arrangement were impracticable, for the simple reason that the people of India were a different race to ourselves, India must stand on a different footing, and would be no obstacle to our union. With respect to the remarks of the noble lord (Earl Airlie) who had pointed out that there were certain obligations entered into by England for the protection of certain European interests, and, therefore, it would be difficult to form a federation which would endorse England's responsibilities on the Continent, he (Mr. Labilliere) would not for a moment have it supposed that he, or any person who desired to see a confederation, was careless about the honour of England, or willing that she should annul all her existing obligations. It was, however, right to suppose that upon a new system of government being established, there would be nothing dishonourable in getting rid, in a fair way, of existing obligations as soon as possible, and then abstaining from making fresh ones. Then he was told that the English Parliament would be too proud to give up Imperial affairs; but what had been the case with Prussia? Had a feeling of that kind existed in Germany or Italy, they would not have seen what had now been so gloriously accomplished with respect to those powers. Germany and Italy would have been divided to this day (hear, hear). Had Sardinia refused to give up much, Sardinia would have been the same to-day as she was a few years ago—a small, weak State; had Prussia, there would be no German Empire. He hoped, therefore, that the question would be taken up with an unprejudiced spirit, and he doubted not that the more we considered it—the more we weighed the difficulties alleged to belong to it, and placed them against the advantages which the proposed system would produce—the sooner should we arrive at the conclusion that an Imperial and Colonial Federation was highly desirable. He



did not expect that we should all at once arrive at that conclusion, but the sooner we began to do so the better. It was a question of growing importance, and every day was increasing in interest to every well-wisher of the prosperity and happiness of England and of her great and wide spread colonial dominions.

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At the evening sitting the DUKE OF MANCHESTER presided.

A paper was read on—

### EMIGRATION.

BY MR. EDWARD CLARKE.

It must, of course, be obvious to all that it would be impossible for me to deal in a single paper with all the aspects of the emigration question. To discuss the evils which require to be remedied; to distinguish between those which affect individuals and those which are directly hostile to the well-being of the State; to deal with the characteristics and effects of the different experiments which have already been made; to trace the results upon the condition of the emigrants themselves, as well as upon the country which they leave, and that in which they seek their new home; to explain the different conditions under which emigration must be conducted with reference to the position of the country to which it is directed, and to prove by details the advantages which are offered in new countries to the industrious settler; to discuss the economic results of emigration and the political effects of colonisation—this would be a task not perhaps of great difficulty, for abundant materials are ready at hand, but certainly of great extent. If I were to try and deal in this paper with one half the matters I have mentioned, I could give only a

vague and scanty outline, which might be interesting, but could scarcely have much practical value. It seems to me there is a more modest task to which I may usefully devote the time which your kindness allows to me, and I shall best define the work I propose to do by saying a few words on the present aspect of the emigration question.

I am sure I need say nothing in support of emigration itself, considered as a remedy for individual distress. No one doubts that for particular classes of working men—for those who have industry and intelligence, and the patience which is the useful handmaid to those active virtues—it is a good thing to pass from the overcrowded labour-markets of an old country to a land where the riches of nature wait ready for the worker's call.

To the individual who has the qualities I have named it is clearly a gain in health and pocket—a gain physically and morally to escape from the crushing competition which crowds the avenues of labour in this country, and makes his earnings here small and precarious. That this is fully recognised we see by the steady and increasing current of emigration which flows from our shores, and by the fact that private charity has stepped forward so nobly within the last few years to assist the deserving poor to obtain the benefits I have named. No real question arises upon this; it is simply a matter of statistics, and of the different prospects offered by different countries. The real question arises when we take the next step. The individual is undoubtedly benefited; but what of the country which he leaves? Is his departure an advantage to that too? Is it so great and so general an advantage that it becomes the interest and duty of the State to help him on his way? This, of course, opens a different set of considerations. The question ceases to be one of individual interest; we can

only consider that with reference to the interest of the community at large.

Now on this subject I cannot profess to speak exactly as one who is examining and inquiring into the matter. I shall try to deal as fairly as possible with any argument I may mention, whether to support or attack it; but as a member of the council of the Emigration League I have long ago accepted the principle of State emigration, and with many now present in this room have striven to obtain its public recognition. We have to deal with the gravest problem which can test the resources of statesmanship. Here in this room, as at the council of the League, are members of every political party, yet I think no one will deny that the questions of party politics upon which we differ so widely, and are ready to fight so vigorously, sink into insignificance when compared with the great question of the condition of the people. We have in England a stately civilisation, historic institutions, strong class distinctions, enormous and fast-increasing wealth. The statistics of every twelve months tell us of the ships that crowd our ports, and lay the wealth of the world upon our shores. We have striven to administer wisely the organised charity of a Christian people; the State has made itself the supporter of the helpless poor, and all our towns are full of the noble institutions by which private benevolence supplements its work. Yet with all this, what do we see?

The stream of wealth seems to gather itself into few channels; our rich men become more and more wealthy; their homes are filled with luxury in its most artistic elaboration; while in the labourers' cottages of Dorset and of Wilts, and in the crowded alleys of London, and Liverpool, and Manchester, and Birmingham, there is a poverty over which the philanthropist may weep, and at which the statesman should tremble.

I am not going now to discuss the exact proportion which the pauper class bears to the rest of the population, and the circumstances which cause that proportion to vary from year to year. If I did, it is quite probable that my figures might become the subject of trivial dispute, and in the wearisome discussion of one thousand or ten thousand, less or more, the main fact and its meaning might be partly forgotten. We are often met, when calling attention to this matter, with the answer "There is nothing new in what you talk about; there is not more poverty than there used to be; why should we be called on for new-fangled remedies for a disease as old as society itself?" I do not believe the answer is true; but I know it is irrelevant. I do not care to discuss whether there is more misery now than there was last year or last century. It is enough for me that the misery is there. So long as it exists among us we are bound, by every law of Christian morality, to do what we can to relieve it. Besides, our statistics as to pauperism, upon which so much official eloquence is based, do not represent the whole truth. For every family which is in receipt of parish relief, there are three or four who manage, by scanty and precarious earnings, helped by the admirable charity of the poor, to keep themselves free from what they look upon as a disgrace; and this, I think, constitutes the most dangerous class. Paupers are dangerous to the pockets of the ratepayers; the struggling poor who are too proud to accept public charity are dangerous to every political institution we have.

When we look for the causes of this poverty I think we must confess that they lie at the very sources of our great prosperity. Of course there are certain causes which we may hope to remove by the operation of social reforms and the extension of moral influences. But these causes—such as drunkenness, for instance—seem

to me to affect individuals rather than classes. But admitting for the sake of argument that they have great effect, still the reform of social habits takes more than a generation for its accomplishment, and a little thought will show that there is a cause of wider and more permanent influence than these.

Vast as the world's markets are, our means of production increase faster than the demand for our produce.

In a crowded community the increase of population would always create a serious difficulty, but during the last half century that difficulty has been increased in England by the extension of mechanical powers. I need hardly say, but I do so to avoid the possibility of misapprehension, that of course I fully acknowledge the great ultimate advantage of every extension of machinery. But it is quite consistent with the fullest recognition of this, that I should point out facts which are incidental to its adoption. The very test of the value of a machine is the extent to which it dispenses with manual labour. Our luxuries become easy of acquisition precisely in proportion to the number of labourers thrown out of employ. But the demand increases. That is quite true, but the increase is always a gradual one, and in some cases—as, for instance, in agricultural labour—the area of production cannot be extended. And in the most favourable circumstances there are a certain number of workmen who cannot adapt themselves to the new processes, and the introduction of new machinery causes at all events a temporary distress. Besides, the natural increase in population is always increasing the productive capacities of the nation; and where in a manufacturing country the rapid extension of machinery and the rapid increase in the population go on together, it is inevitable that the labour market should become overcrowded. There is yet another view of this matter. Machinery requires

a large area for its full advantage to be obtained ; it helps to produce large farms and large manufactories, and these tend to cause fresh adaptations of its power. There is in these a great subdivision of labour, thus each operation becomes more simple, and mechanical force is easily applied to its performance.

Thus not only, other things remaining unaltered, is the demand for manual labour diminished, but the tendency of capital to become concentrated in few hands is greatly increased. On the farm as in the manufactory the small capitalist has less and less chance ; the persons actually employed are mere hired labourers, while, owing to our great prosperity, capital is so plentiful, and when invested produces so small interest that it seems hardly sufficient to pay for the labour and self-denial required for the accumulation of small amounts. To the ordinary working man £25 would be a considerable amount to save from his earnings. If he invests it in a Government savings bank I think he will get about 14s. a year interest, and as human nature is constituted this does not offer a very great inducement to thrift. Here, then, is the problem we have to face ; how is it to be dealt with ? Three remedies have been suggested, but with two of them I have little concern now, so I may dismiss their consideration with a very few words. The first is the restriction on the increase of population by the operation of moral restraint. With regard to this it is sufficient for my present purpose to say that it involves a process of education and a change in the feelings of the people so great, that it must require a long period before it can have any great effect among us. And it requires also the attainment of a higher standard of living among our working classes, which is the very thing that some other means more speedy in operation must be found to effect. To the second remedy I myself attach very great import-

ance. It is the extension of the principle of co-operative labour. Unfortunately co-operation, so-called, has become fashionable among us in a form which is of no great economical value, and which rather tends to obscure the larger and more useful applications of the principle. But with regard to this also time is required, and what we want is something which shall begin to produce a sensible alteration at once. There remains the plan of emigration, and to that our attention is directed this evening. I have already pointed out the advantage of emigration to individuals. There are a few other considerations to be mentioned with regard to its effect upon the whole people. If the State is to share the burden of the expense of sending out emigrants, it has clearly a right to impose restrictions, and to a certain extent to select the persons who are to go, and it seems to me that at the present time there are two limitations which may properly be made. In the first place, State emigration should always be directed to our own Colonies; in the second place, we should send out as far as possible Colonists and settlers, men who would not merely swell in the new country the ranks of hired labourers, but would plant themselves upon the land, and so create a fresh labour-market. To the first of these stipulations an objection was not long ago made in an unexpected quarter. Mr. Gladstone, at the end of a speech upon this subject in the House of Commons, said we had no right to dictate the place to which emigrants were to go. "I own," he said, "it seems to me a most questionable exercise of power, ay, an exercise of power which it is impossible to defend, to say, 'We recognise your destitution and our obligation to relieve it, but we insist upon your going to the British Colonies.'"

It is curious to find so obvious a fallacy so transparently put. There is no exercise of power in the legitimate sense of the words involved in the matter. The State,



for its own ultimate advantage, consents to confer upon a certain number of individuals a very considerable benefit. It may clearly make conditions upon which this benefit shall be granted. You might as well call it an indefensible exercise of power when giving sixpence to a beggar to stipulate that it shall be spent in bread and not in brandy, or, when giving liberty to a convicted felon, to stipulate that he should accept a £5 note and an outfit, and take his passage to the United States. The boon being offered on certain terms, those who accept it accept the conditions also, and they can obviously have no ground for complaint. Of course, if in the case we are now considering the condition was plainly absurd and capricious, the people generally would have a right to complain. The State is by the hypothesis acting not for individual benefit, but for the general interest of the community, and it may be, and I think it is, essential to the obtaining of that general advantage that this limitation should be imposed. If the limitation be defensible as a matter of justice, its wisdom politically and economically can scarcely be a matter of dispute. Politically the emigrant to our Colonies does not change his country or his allegiance. He is adding strength to us instead of to those who must be our rivals and may be our enemies ; he is strengthening at once the power and the resources of the Empire to which we belong. Besides, the market which he helps to create is a market specially for the produce of the old country. He will naturally prefer the comforts and luxuries he has been in the habit of seeing in his former home, and thus will become a steady customer in our markets. Nor is there the danger in his case that the advantage which would thus be received by the land of his birth will be neutralised by hostile fiscal laws. Experience has tested and confirmed these arguments by showing that in English Colonies the consump-

tion of English produce is about three times as much per head as it is in the United States.

Here then is, as it seems to me, the obvious remedy for the evils which afflict our social state. We have a surplus population producing in our labour market a cruel competition for employment. It might be relieved by diminishing the numbers, it might be relieved by increasing the market for our produce. Let us do both at once. If we send abroad ten thousand of our workmen to settle on the fertile soil of Canada or Australia we reduce competition at home, we raise the average wages of daily labour, and we at the same time increase the demand for our productions by establishing a Colony which will naturally be a better customer to us than to any other country, and which will pay for our goods in those natural products of which we stand so much in need. The word emigration has indeed to some ears an unpleasant sound. There is an idea of expatriation about it, of leaving friends and country, and finding in a foreign land new manners, a strange language, and unfamiliar laws. But this does not apply very strongly to emigration to our own Colonies. There the speech is the same, the laws are the same, the habits and the memories of the people are for the most part familiar, there is no change of allegiance or nationality. It is really a shifting from one part of the country to another. Looked at in this way, the economical argument becomes conclusive. We shall all confess that the easy adjustment of the supply of labour to the demands, which are always varying in different localities, is of great importance to the country. Much has been done in England of late years to secure this, and it is one of the best things we owe to the organisation of trades' unions that they have been able to draft the surplus labour of one locality to meet the special demands of another. That is really all

we desire to do. The work to be done lies in our Colonies; the workmen here are standing with folded hands for want of work to do. Let us bring the two together. Here we shall lighten distress, shall relieve the rates by which the pauper class are supported, and shall take away the class which is out of sympathy with our institutions, and which is fast becoming accustomed to schemes of social revolution. There we shall utilise the waste, though fertile, acres, we shall found new communities, allied to us by every tie, growing rapidly in wealth, and raising up a market which will re-act for the benefit of England herself, by increasing the demand for her manufactures, and supplying her people in a fuller measure with the means of life.

I have already said that it does not come within my purpose to enter into detail as to how this plan should be carried into practical effect. I am glad to know that my paper is to be followed by an address upon facilities for emigration, by one whose great services to the cause give him a pre-eminent claim to be heard upon this subject. Still keeping to my own branch of the question, which I may call the economic aspects of State emigration, I will devote the remainder of this paper to considering one or two of the objections which have been made to the principle. The arguments I have suggested in its support seem to me on the face of them to be unanswerable. I have shown the individual benefit, and that is never denied; I have shown the immediate relief and the ultimate material advantage to the country from which the emigrant goes; I have shown the political and material benefits obtained by the country in which he seeks his home. But we must be prepared in this matter for a vigorous and, I fear, a not very scrupulous opposition. It is not the opposition of opinion, nor even of prejudice, but the more pertinacious opposition of per-

sonal interests. To a large number of persons among us, the state of things which the supporters of emigration desire to remedy is of direct personal advantage. It is of course to the interest of the employer that there should be a quantity of surplus labour. It not only keeps down the ordinary rate of wages, but enables him at once to take full advantage of any sudden rise in the markets. He is not at all likely to join those who would send this surplus away for the express purpose of raising the wages of those who remain, or at all events, of making their earnings less precarious. Of course this feeling will never be distinctly avowed. It is covered under various masks in order to make its selfishness the less apparent. We are told, for instance, that the men do not want to go. Ask them. The objection is made for them, but they never make it themselves. Go into any large public meeting and speak to working men about emigration to the English Colonies—not the emigration in which the poor man slips away with just sufficient scraped together to land him on a foreign shore, there to meet a chilly welcome from the workmen with whom he has come to compete—not even emigration in which private charity helps to send him away, and he feels some loss of self-respect in taking the gift, but of a scheme in which the State offers the means of transfer, watches over his welfare until he is safely landed, nor leaves him even then, but arranges for his reception and makes some provision for his tiding over the difficulties of the first year, and says to him when he leaves the mother country, “Remember we are not losing you, you are still one of us ;” speak to working men of a scheme like this, and you will hear such a response as will never leave your conscience the hardihood to repeat that they do not wish to go. But when we talk of a scheme like this, it is said, and people sometimes talk as if the answer were conclusive,

that in this case there is no economical advantage, for capital is taken away as well as labour. The objection was put in its broadest form by Mr. Hume, in 1827, when discussing Mr. Wilmot Horton's proposal to devote public money to the assistance of emigration. Said Mr. Hume : " The practical result of this project might be to send away beggars from England to make beggars of those who remained behind, for what other result could follow from sending £20,000,000 out of the country, which if left in would be expended in some way or other among the working classes ? " This in one form or another is probably the objection upon which most stress will always be laid, and to its consideration I will devote the few minutes for which I propose to detain you. In the first place, we must remember that surplus labour is unproductive labour. It cannot support itself, therefore it must be supported in some way or other out of the wages of other people. And you do not make it productive by giving it money. If the country were at once to devote £20,000,000 to be distributed among the poor of the working classes, it would do more harm than good ; the money would be spent and the poor would remain as poor as ever. There would be just the same difference as there is between giving a young man a thousand pounds and buying him a farm or a business. He may spend the money in that way if he is left to himself, but it is best to make sure by giving him the means of future income rather than the sum of money which he may spend in a year.

Now, in the case before us I doubt very much whether a scheme of State emigration carefully conducted need be of any great expense. It would not be difficult to make stipulations for repayment of the money advanced, and I feel sure that the class of men who would ask for such assistance would be debtors whom in most cases it would be safe to trust. But suppose the money has to be absolutely spent,

what then? We point out that now enormous sums are spent in poor-rates; that it is the surplus population which makes those rates so heavy; as a mere matter of calculation it would be cheaper to spend a considerable sum at once, and so diminish the pressure. Not only would the immediate pressure be decreased by the absorption of the pauper class into the ranks of the wage earners (for of course we do not propose to send out the paupers themselves), but we should be steadily making provision for an extension of the market for our goods, and therefore for a constant check to the tendency which now exists for the means of production to outrun the demand for the products. And the fact that capital must be sent out as well as labour, if we desire to make this scheme effective, is no disadvantage, rather the contrary. It is not want of capital which causes difficulty among us. There is a very popular misconception as to the relation of capital to labour, and its effect upon the rate of wages. A very large proportion of our capital does not go into the wage-fund in this country at all. There is not room to employ it here, so it is drafted off into foreign speculations and foreign loans. An illustration will make the matter simple. The proprietor of a farm in the course of a particular year introduces machinery which enables him to dispense with the labour of one-third of his men. Whatever his capital may be, he cannot go on employing them, there is no room for them to do useful work upon the farm. If in the very same year he has doubled his capital by fortunate sales it will make no difference, the men will not be wanted and will not be employed. As for his surplus capital there is no room for that either upon the farm, so he must employ it somewhere else. This is just a parallel to our case in England. Agriculturally we are limited by our acreage; in manufactures we are limited by the demand for our goods. In both

respects we seem to have reached the limits. It must be so, for we have abundance of surplus capital and a mass of unemployed labour. Why should they not go together and lay the foundations of flourishing communities in distant lands. It is said the proposal is socialistic, and a great master of language has denounced it as a proposal to support individuals at the expense of the community, but not for duties done to the community. I hope we are not to be frightened by an ugly word or tricked by a phrase. If socialism or communism has anything that is good, let us deprive it of the advantage by doing the good thing ourselves. I am communist enough to believe that there is no right of property in a good principle. As to the phrase, what it denounces is exactly what is done by our present poor-law; but that is not the true answer. The fact is, our proposal is not to support individuals, but to help them to support themselves; and we would do it not to benefit them, but to secure a permanent advantage to the State. England spends vast sums upon her means of warfare and the administration of her laws, let us not be afraid to make an investment for which those who are—

“In Fortune’s bridewell whipp’d  
To the laborious task of bread”—

may through many generations have cause to bless us.

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The EARL of AIRLIE said he was impressed with the greatness of the subject, but he must own that he was not yet a convert to what was called State emigration. He approached the question with caution, but not without confidence; because he knew he should be followed by one or two honourable gentlemen who very strongly had opposite views to himself. But he did not wish them to understand that he was opposed to assisted emigration. There were in England many men who were anxious and willing to work, but who could not obtain employment, and he could not conceive



of any spectacle more painful than that (hear, hear). Neither could he conceive of any better application of money than assisting such persons to emigrate. But when they came to deal with the question of emigration as supported by the State, it was another thing. It was nothing but a system of out-door relief on a large scale ("No, no"). We were told what were our duties respecting emigration, but he thought the Colonies had duties to perform in relation to that subject. There was an Act passed in the United States which gave a certain number of acres of land—about 100—to an immigrant on the sole condition that he should reside on the ground, build a house there, and fence the land within a certain time, as well as bring the land into a proper state of cultivation. It was called the Homestead and Public Works' Act. In Canada, between Lake Ontario and Montreal, he believed that there would be plenty of work for many years, and he should like to see an extensive and well-organised system of emigration to that Colony. He hoped, from what he had said, that he should not be put down as one of those bigoted persons who were opposed to emigration.

Mr. MACPHE, M.P., had listened with great pleasure to the interesting and well-written paper brought before them by Mr. Clarke; but to his mind he felt that one of the difficulties which was experienced in connection with promoting systems of emigration was that of discriminating between a good labourer willing to work and one who was idle. Another difficulty was the jealousy which existed between the Colonies. Difficulties of that kind would occur, and he had sometimes thought it would be well if they could promote a sort of competition between various parts of the Empire for emigration. There were many fine, healthy, moral persons who would emigrate if good terms were offered. The greatness of every State depended on the number of its people, but that principle had been forgotten. Now what was the value of a married couple. It was set down at £500. He held in his hand a report of the Emigration Commissioners; but who were these commissioners? Very few persons knew. One of the most important parts of the British possessions, containing large portions of land, was South Africa, embracing the two Colonies of the Cape and Natal—the very centre of our Empire, and producing most valuable commodities—yet the word Africa did not occur in the whole of the report (laughter). There was also in South Africa, the diamond fields, dazzling and attractive enough to anybody, yet emigration was not recommended there. Thus for want of a proper system of emigration many persons went to the United

States, and we lost them. They were English subjects, and yet they became the subjects of a foreign power. Yet there was land enough in our Colonies for them. Last year nearly three-quarters of a million of money was obtained for the sale of land which was given up for nothing by our Government—land which ought to be obtained by our working men who were idle because there was no work for them to do in England. The people were growing more anxious to emigrate, but the Government of this country had not pluck enough to see what was required for the solidification of the Empire. He would implore every person who desired to see the prosperity of England, go forth and argue against this shameful policy which prevailed—the policy of “We would rather do nothing.” He thought the Colonies should employ the money obtained from waste lands for emigration purposes.

Mr. GEORGE POTTER, editor of the *Beehive*, who was introduced as representing the interests of working men, said emigration was a subject which had sunk deep into the hearts of the people, and must soon be one of the greatest subjects which this country has had yet to deal with. The last speaker told them of the 105,000 English people who left this country, but he did not tell them that 64,000 went to the United States. If such was a fact, there must be a sad want of facilities for emigrating to our own Colonies. He knew that if there could be a uniform rate of passage to Australia, or in other words, equal facilities for going there as there were for going to America, a large number of persons would go to Australia instead of the United States, and thus there would not be so great a necessity for importing labourers from the Polynesian Islands. When he formed one of a deputation to Mr. Gladstone, he said that if Government would facilitate voluntary emigration, not compulsory, it would be a great boon; but Government refused. They were, however, in a corner now, and would have to do something, and if this Conference could influence them in this direction it would render great service to the country. But why did people go to the United States, it was because there were greater facilities for going there and great advantages when they got there, and he was sure that if England desired to keep her own, and maintain her position, she would have to do something for her distressed subjects and for the advancement of her Colonies. We could not contend in war, as the author of “Ginx’s Baby” told them the other night, but if England was too narrow to employ all her labourers, she should facilitate their departure to waste lands, and thus bring into operation the maxim, “Spare hands to waste lands.”

He wanted the Government to see that employment should be given to those who were unemployed, or failing that, that they should be sent to the Colonies to obtain it there. He had nothing more to say, as but a few minutes could be allotted to each speaker, but he would assure them that the subject was one too great to be trifled with, and, as he had said, was one which would soon be the greatest question of our age. If England was what he wished her to be, and what she ought to be, she would give the subject of emigration her consideration, and then she would find the people as patriotic as they ought to be (cheers).

Mr. R. R. TORRENS, M.P., said there were some remarks of Mr. Macfie's which induced him to come forward to make a reply. That gentleman had said that the strength of a country depended upon its population. Now that was a fallacious assertion, and he would express his views on that point in a few words. He might as well have said that the blood which circulated through the veins was a source of strength. It was no doubt so in one sense; but if there was more than the heart could propel through the bodily frame, and thus give vigour to the body, it was an occasion of great danger, and tended to apoplexy, or something of that sort. We had lately sent some agricultural men from Devonshire to labour in the North of England where wages were better for that class of persons. But what had been the result? The men had not been found strong enough to do their work, because whilst living in Devonshire and the South of England they had been subsisting on weak food and therefore had not the requisite stamina for the performance of manual labour. It was a great error to suppose that there was any economy in paying low wages. This he had heard stated by a gentleman in the House of Commons who paid a large amount of money as wages, and therefore the assertion was a practical one. He (Mr. Torrens) would therefore not advocate sending paupers to the Colonies, but persons who might otherwise become paupers (hear, hear).

Mr. W. T. McCULLAGH TORRENS, M.P.,—I am glad that I have had the advantage of hearing the noble Earl and the gentlemen who have followed him in discussing the general question of emigration, before being called upon to offer the results of my own observations and reflection with respect to the facilities which may be afforded advantageously to those amongst us who are minded to cast their lot in the newer lands which lie beyond the sea. These colonial lands vary, no doubt, widely in every incident of fertility, availability, salubrity, and profitableness; but, after every deduction that can

be made of those that lie in climates too rigorous or too relaxing, and those that are situated too far from the coast or from navigable rivers, and for those which seem to be naturally sterile or to be overgrown, through some perverse freak of nature, with plants unfitted for the sustenance of man, there yet remain in various latitudes and longitudes tracts of soil practically boundless, which, hitherto unoccupied, are capable of supporting in comfort, and even luxury, millions of our industrious people. At home these multitudes fluctuate periodically between the rush of profitable toil and the misery of absolute want. Our condition is this. The old home-farm of empire has come to be more than chokefull. Within speaking distance (by telegraph), and, to the eager eye of hunger and hope, almost within sight of our overcrowded slums, there lie vast regions of unbroken soil capable of affording our surplus people the homes and the profitable work-fields that they want; certain fences, toll-bars, and obstacles shut them in where they are in misery, and shut them out of those other parts of the Queen's dominions where there would be health, happiness, and contentment. Why should we suffer these impediments to stand in the way? Why should we not be prepared for our own sakes, for the sake of our struggling neighbours, for the sake of our own rate-paying purse, and for the sake of the glory and strength of the Empire, to make these obstacles to cease, and lay these senseless and stupid hindrances low? I would not, for this purpose, have a burden laid upon home industry, which would appreciably add to its difficulties in waging the battle of life. I would not intentionally add the weight of a feather to the load which rate-paying industry has in this country to bear. My contention is, that every pound judiciously and fairly applied in preventing poverty at home, by facilitating emigration, would save pounds squandered vainly in the attempt, by doles and alms and work-house fare, to revive self-respect, and to rekindle self-help in those who have once been broken down by poverty. I am for prevention, instead of cure; or rather, I am for prevention of poverty, while it can be prevented, because I know that when that opportunity is missed cure may be paid for, but cure is never had. In spite of all the conceited and pragmatistical talk about poor-law reform, and in spite of all the dreary succession of Poor Law Amendment Acts, the miserable and, as I think, shameful fact, glares out at us day after day that we are spending more every year in the unthankful and unblessed work of rate-squandering; that the proportion of our pauper population is increasing, not

diminishing; and that its condition is as wretched and as hopeless as before. The treacherous suggestion is, therefore, sometimes made, that we should try to ease off a portion of our burden by exporting paupers to the Colonies. That miserable proposal was insidiously made last year; but it was promptly and properly repudiated by the true friends of emigration, and unanimously vetoed by the agents-general of all the Colonies resident in London, when they were consulted regarding it. I rejoice to think that it should have been so, because I know that, next to convict labour, pauper labour is that which our thriving and discriminating brethren beyond the sea regard with the most intense aversion; and because I feel that what we have to do for our own sakes in this country, henceforth, is not to shirk our liabilities or to saddle the weight of any portion of them on others, but, by timely thought and care, to prevent their increase in future, and to save from perishing that surplus labour whose emigration, if voluntary and healthful, would naught impoverish us, but would make the Colonies rich indeed. The first condition of healthful emigration is, in my judgment, that the emigrant should himself substantially help to pay the cost of it. The next essential condition is, I think, that the Colony, by helping him to go, should prove that it feels the want of him. And, lastly, the third condition I would make is, that the Imperial exchequer, out of its abundance, should contribute by cheapened modes of transit, to the diffusion and, so to speak, to the equalisation of labour among all parts of the Empire. I therefore propose this simple plan, not as a perfect one—for I do not much believe in perfect plans for doing anything; not as the best—for I am quite ready to take up any other which you may all deem preferable, if it holds out the promise of attaining the object by a more excellent way. But I offer this for your consideration. Let public aid be limited wholly to the case of families. Let family tickets be given to those, and to those only who have been accepted as eligible by the representatives of the Colony to which they desire to go. Let the emigrant pay down in cash one-third of the passage-money for himself and for each member of his family, the Colony paying another third, and the Imperial treasury paying the remainder. Next year Victoria might refuse to contribute anything. Well, let her refuse. She has a perfect right to do so; and whether she be right or wrong, it is not for us to say. But we believe that New Zealand, Natal, and Upper Canada would be perfectly willing to contribute according to their wants and their means, if we would do so likewise. Why should

they not?—why should not we? As for the working people themselves, the question would solve itself without discussion. If they did not produce their contributive share of the means to provide them with escape for life from the danger and dread of penury, the Exchequer would not be called upon to pay; and if they did produce their quota, the colonial community would have the best of all *proofs* that they were acquiring provident and thrifty citizens, not idlers or “ne’er-do-weels.” Coxcomb theorists and *doctrinaires* may lipout the futile and ignorant objection that the surplus hands whom we would help to go would not be able to find the wherewithal to pay their contribution of a third. My Lord Duke, the impostor politicians who talk thus, know little of the people. We who have been working in this cause for now a considerable time can attest from practical experience how different is the honourable and generous reality from the heartless conjecture, which I have named only to denounce it. In the course of last year we found everywhere a marvellous power of self-help lingering among those classes of the community which had not yet been forced to qualify for pauper relief by breaking up their homes and severing all family ties. To win a ticket in an emigration club a man will resort to expedients which *dilettante* legislation and economical philosophy, falsely so called, can never divine or imagine. And in this, as in so many other ways, nothing is more true than the oft-repeated saying, “It is the poor who help the poor.” Besides the aid of friends and neighbours, a variety of clubs and societies are ready to assist young married couples with their children to hive off to fresher and to fairer fields. There is a wise generosity and a true foresight among large classes of the people in this and other matters, which only wants recognition and development to become a great element of Imperial policy. But, as I have already said, if the people’s share of the cost of transit be not forthcoming, the Exchequer will not be called upon to contribute its third. All we ask is that it should make the offer impartially to each Colony, at the beginning of every year, to enter into this triple partnership for the rescue of life and labour from misery, and for the creation of new communities of English blood, language, habits, and traditions in the vacant places of the earth. Your Grace, who bears an historic name indelibly linked with the memorials of English liberty, has not shrunk from impressing the justice of such a policy on the attention of the Upper House of Parliament; and some of us in a humbler way have not failed to urge the same truths upon the House of Commons. We are not

discouraged because we have not at once been able to persuade majorities that the views we advocate are sound. Most things that are worth doing in public life are difficult to do. But if men are able to give a reason for the faith that is in them, if they have faith in their cause, faith in themselves, and faith in one another, sooner or later the *vis inertiae* of selfish indifference will be overcome, and that which is right will eventually prevail. We are a nation of thirty-one and a half millions of people, having an area, with our Colonies, ten times that of the United States. Yet a great many of the fields and vast tracts of land belonging to us abroad have never resounded with the bark of the shepherd's dog. I hold in my hand the last report of the Emigration Commissioners, upon which we have spent £9,700. It is certainly the dearest literary production I think I have ever seen,—it is about the most expensive book I have ever read, and I have read a few books in my time. I should like to dissect it for you, and it will not take long. The vote in the estimates under the head of emigration, as I have said, is £9,700, and out of that sum £9,200 went to the Commissioners for rent of offices, salaries of senior officers, and deputy clerks, leaving the sum of £500 to be spent in conveying poor emigrants from England to other lands. I intend to show up this production as one of the greatest pieces of jobbery connected with the administration of the affairs of the country, and as something of which Government ought to be ashamed, in the face of the piteous and importunate tears of women and young children wanting bread, and in face of the men of this country mournfully sitting at home depressed in spirit for the want of labour which they are willing to perform. When we made application for State aid we did not say, Send out any man, the idle or the infirm, but send healthy, honest labourers and industrious families. Send out those who would draw their brothers, nephews, and cousins after them. These, hearing of their relatives doing well, would follow. Send them across the sea, which steam has made a passable ford between the Colonies and the mother-country. What is done when Parliament passes a Railway Act? Parliament when it grants the monopoly invariably makes this stipulation, that the company in whose favour the Act is granted shall run cheap trains, which the companies call parliamentary trains, for the working classes to travel by. This is done not for the benefit of the company, but for the good of society at large. And when this country pays, as it does, every year a million of money to great steam companies to keep up communication with the Colonies



in order that we may, if we choose, travel luxuriously in cabins like first-class hotels, it is forgotten that the same principle ought to be applied to ships as is applied to railways. Why cannot third-class vessels be found by the Government at a small expense to the country, in order that working people may have facilities for emigrating. This would be a recognition of the principle of helping a man to help himself, and going half way to help people over their difficulties. But we were told last session in the House of Commons by Mr. Goschen that this country had no surplus labourers. I have sometimes gone into a workshop and asked when I have seen men busy, if there were any surplus hands connected with their trade. The answer was sometimes a bitter laugh, oftener a stare of wonder. Without trespassing too long on the attention of the Conference, I would briefly advert to what has occurred in respect to emigration during the last few years. We have in personal remembrance two separate periods with reference to emigration, and I hope you will keep in mind their distinctive features. From 1848 to the end of the year 1854 we had what was called a national exodus. During and after the famine in Ireland the people fled for their lives. Many perished by the way, and many survived. But where are they? They are gone for the most part to be aliens, if not enemies. We drove them away. We said we could not help them. That exodus was a shame to this country. We sent them to swell the ranks of our great rivals; to strengthen the hands of the people who at the present time boast that they maintain a gigantic revenue by keeping up a tariff against us. There were 2,000,000 of persons who left us during that exodus, and of these one million and a half went to the United States. A great high priest of the sect of the economists wrote that Ireland ought to be weeded of her surplus population, because it was necessary and expedient that the population should die down to the means of subsistence. Another eminent politician who held this doctrine told us with a sneer which I shall never forget, that a great extirpation of one portion of the peasantry was likely to be useful in rectifying the disproportion of sects, and would thereby secure the maintenance of the Established Church. But where is the Established Church of Ireland now? I will pass on to ask you to look at the next period. Since 1855 there have gone forth from this country 3,000,000 of people, and allowing half a million for foreigners, there were two and a half millions left who quitted our shores as emigrants. Of these it will be found that a very great number have gone to the United States. What is the case of Canada? That

Colony is perfectly ready to contribute towards a large importation of emigrants. And is it not better to send unemployed men there, and thus save them from the workhouse, from the strike, and from what is perhaps worse. On the eve of the outbreak of the war last autumn a gentleman was sent to England from Tasmania for the express purpose of inducing persons to emigrate to that beautiful Colony, of which Mr. Du Cane is now the governor. He endeavoured, of course, to get the Government to render some assistance; but the Government refused, for they seem to believe it to be their duty to resist the people and concede nothing till something like pulling down the Hyde Park railings, or a match-box makers' procession takes place. The gentleman seeing the opposition he met with, went over to Germany, and there got 2,000 men to return to Tasmania with him. The same could be said of New Zealand. If the New Zealand proprietors could have men from England they would take them, but, failing these, they were securing men from Norway and Sweden. Yet Englishmen who are willing to work have to starve at home. Is not the inheritance theirs? Have they not the first right to England's Colonies? Ask their weeping wives and hungry children. There is one word more which I would say respecting climate. In this country the poor, for want of proper food are scourged by the weather, and cut down by exposure to unwholesome winds and rain. I lately read a letter from a physician in which the writer said he had found from twenty years' experience that two-thirds of the cases of consumption that he had under his care arose from exposure to the severities of our climate, and that their lives might have been saved had they been sent to Natal, New Zealand, or Tasmania. It is Paganism not to care for others whom we can help. Every man who is cut down in the prime of life and leaves a wife and children behind him bequeathes to us a legacy which is not easily got rid of. In conclusion, I would say that I hope the Government will maintain a close connection between the Colonies and the mother-country, by the preservation of those cordial ties of unity which have been so beneficial in the past. I wish the dominion of the Queen to descend to her successor stronger than when she received it. I wish that each Province of the Empire should remain a part of it rather than become an alienated State. But if we do not take care the Colonies will become weary and sick of our short-sighted system. We are the richest community in the world. We are also the strongest nation in the world. Why, then, should we not vow to-night that we will not have the Anglo-Saxon realm weakened and wasted and

broken up? And why should we not express our belief to-night that the first duty of our ministers is to preserve intact the Empire of which we are members—the noble Empire which we desire to hand down unbroken to posterity?

Mr. FREDERICK YOUNG said he had long felt a deep interest in the question of State emigration, and was surprised at the contradictory statements made by various parties on the subject. We were told, for instance, on the one hand, that we were trying to flood the Colonies with our paupers, of whom we were anxious to be rid; and then, at the same time, by persons holding opposite views, it was asserted that we were going to send out all our best artisans, the able-bodied, diligent, and intelligent men of the country, and leave the shiftless, weak, and helpless at home. Now he would deny the truthfulness of either of these assertions (hear). Those who made these statements overlooked the fact that the population of England was constantly increasing; and, with regard to the charge of sending out the best men, the old adage was very appropriate, "There are as good fish in the sea as ever came out of it." During the last year there had been considerable efforts made to promote technical education for the working classes, and the movement showed a desire to improve their condition, and to enable them to "hold their own" in the competition with foreign workmen, who were said to be supplanting them by their superior intelligence and education. Now it is quite clear, that if by promoting the emigration of any of those who cannot get employment in this country, we should chance to send away some who are now called our "best artisans," they would be replaced hereafter by a class superior to themselves, because they will have had the advantage of the technical education, admitted to be so necessary in order to make them what they ought to be; and therefore it is an entire delusion to talk of emigration on an extensive scale in a country like England, with a constantly increasing population, depriving us of our "best artisans," when any go away who cannot get on at home, and who will be succeeded by others better educated, and therefore superior to them in all that constitutes skill, as workmen. He had also heard an objection to State emigration based upon the statement that there was a variety of opinions as to the form in which such emigration ought to be applied. His answer to this would be—the details could be settled when once the principle was admitted. What he contended was, that some means should be obtained for assisting those who in large numbers would emigrate if they could,

and such assistance, whilst it helped them to leave England, would materially benefit them in any other part of our Empire to which they might go. As to the employment of ships carrying her Majesty's mails, it occurred to him that vessels which were built for such purposes, and constructed especially for speed and not for carrying capacity, would not be found suitable for carrying emigrants, even if they could be fitted up for the purpose, and this would be found to add materially to the cost of conveyance. But the main difficulty was the equalising the payment of rates of passage to all the Colonies. Probably the best plan to be adopted was the issuing of tickets at one uniform rate to any portion of the British Empire, whether to Canada, Africa, or Australia. He would suggest, for instance, that anyone wishing to emigrate should be able to purchase, say for a sum of £2, a Government passage ticket, which should give him the option of emigrating to any one of the British Colonies he might choose to go to, and the difference of the actual cost of passage should be made up in fairly arranged proportions between the Home Government and the Government of the Colony in which the emigrant landed. Thus, if the total cost of a passage to Canada was £6, the emigrant would contribute £2, which would be of inestimable benefit in maintaining the grand principle of "self-help," and the united Governments £4; while, in like manner, if the cost of passage to Australia was £15, the emigrant's £2 ticket would equally carry him there, the Home and Colonial Governments between them contributing the other £13. He thought if some such plan were adopted, it would greatly promote a sound system of emigration, and give satisfaction to the emigrating public, by enabling them to have unfettered choice as to their future destination, and also to the various Colonies of the Empire by letting them all participate in the benefits of systematic colonisation.

Sir CHARLES NICHOLSON observed that the Colonies of Australia alone had contributed some six millions sterling out of their own funds for emigration, and this fact showed a degree of earnestness for providing facilities for emigration. Other proofs might be given of the desire on the part of the Colonies to aid in a general scheme; but the Government of this country opposed the work, and he strongly discommended their "rather-do-nothing" policy. There was a portion of our Empire which was very attractive at the present time. He meant South Africa. In the Colony of Natal, as well as the Eastern Province of the Cape Colony, there was great need of labour. Letters appeared in the

newspapers there, and meetings were held, deploring the deficiency of labour. There were large tracts of fertile land, a salubrious climate, and rich productions, yet the Imperial Government took no steps for providing any kind of facilities for emigration there. He felt gratified in attending the proceedings of this Conference, and in hearing so many sound views on emigration by men of position and intelligence.

Mr. EDWARD JENKINS could not help rising just to say a word or two after the speeches delivered by Mr. R. R. Torrens and Sir Charles Nicholson. He was always sorry when gentlemen of such position and authority came forward and showed that upon principles of colonial policy they were not at one, and especially when one of them brought forward a scheme which all knew to be impracticable ("No, no"). But he (Mr. Jenkins) would say yes; for he had taken means to ascertain from all parts of the Empire how far a scheme of emigration, conducted in connection with the Poor Law, would meet with the sympathy and co-operation of the Colonies, and only in two instances had he obtained a favourable answer, and that on a certain modified principle. If the Poor Law system of emigration were carried out, what would be the result if a parish were drained of its poor in order that they might be sent out as emigrants by the guardians? Such a parish would be immediately filled up with successors of the poor. Or, to look at the mere question of organisation:—How could a board of guardians communicate directly with the Colonies? What an immense amount of postage there would be? What an infinite amount of labour would have to be performed. He thought they would lose on postage alone more than any gain obtained in carrying out the scheme. What should be done was this, we should go to Government and show them that through the whole country—yes, and in Ireland too—there were people who were ready to go to the Colonies, but lacked the means. If they could only do that, or if they could cheapen the passage to the Colonies, it would be well. Lord Airlie had produced arguments that had been answered again and again. We had been told that State emigration would do away with voluntary emigration. That all depended on the terms on which the emigrants left. Supposing them to be bound to repay the money advanced for their passage and outfit. What use would it be for a man who had £50 in his pocket to borrow money of Government to emigrate with, when he knew he should have to pay it back? Men who have means were now, and must continue to be, voluntary emigrants.

Mr. WHALLEY, M.P., in a few words expressed himself in favour of cheap uniform rates of passage to all our Colonies.

Mr. LABILLIERE wished to draw attention to one point—the importance of arranging any system of emigration so as not to overstock any particular locality, or send to any Colony a class of emigrants which it did not want to receive. He had known emigrants to arrive in some parts of Australia and find the markets overstocked with labour; meetings of “the unemployed” were then held, and reports sent back to England saying, “Don’t send out any more emigrants.” But before these reports could arrive in England, all the new immigrants were employed, and a demand existed for more. Now all this would have been obviated if proper means had been taken to distribute the newly-arrived labourers in suitable numbers in different parts of the country.

Mr. EDWARD CLARKE, in reply, thought that they had discussed both subjects—that of “Emigration” and the “Facilities for Emigration”—too closely. He maintained that it was not their duty to provide a plan of emigration. If they could show that it was right to employ Imperial funds to remove an over-stocked labour market, they had done. It was for Government to carry out the details and use the materials it had, and which it most probably knew were best for the purpose. All that we had to look at was, the Colonies were in great want of labour, we had a great amount of surplus labour, the labourers themselves had not the means to transport themselves to the colonial lands; therefore ought not the Imperial Government and Colonial Governments to combine to effect the desired change (applause)?

The thanks of the Conference were cordially awarded to Mr. Clarke and Mr. McCullagh Torrens, M.P., and the company adjourned.

### THIRD DAY—FRIDAY.

THE Conference resumed its sittings at eleven o'clock in the morning, the chair being taken by Mr. WALTER MORRISON, M.P.

#### COLOURED LABOUR IN BRITISH COLONIES.

By Mr. F. W. CHESSON.

There is no question of greater practical importance, at the present time, than that of the employment of imported coloured labour in the tropical Colonies of Great Britain. The white race, incapable of protracted physical exertion in hot and enervating climates, is engaged in continual efforts to find "hewers of wood and drawers of water" among the inhabitants of the tropics. The impulse which leads our countrymen to do this is a natural one; for if it were impossible to obtain these labourers, then extensive districts of the earth's surface which nature designed to yield cotton, sugar, rice, coffee, tobacco, and other tropical produce, would remain arid or uncultivated wastes. In other words, if the European had been dependent on his own labour for the means of bringing into cultivation those continents, islands, and territories in which the sun strikes fiercely at his very life, he must have sunk under the unequal struggle, prostrate in body, although unconquered and unconquerable in spirit. There could be no greater example of the inter-dependence of every great division of the human family. We may despise the negro in his native barbarism;



we may feel contempt for the too submissive Chinaman ; we may look down with haughty superiority upon Papuan negroes, Malayan and Polynesian islanders, and all the numberless varieties of Asiatic and African nations and tribes : but the fact still remains, that we cannot solve the multifarious problems of human destiny without their active co-operation. We must therefore sympathise with every legitimate effort which is made to supply the pressing needs of one race out of the superfluities of another ; to procure coloured labour when the European settler is unequal to the task of toiling, with his own hands, in the manufactory or the plantation ; to combine brain work with the work of the body, and by the beneficent union of the two to promote, in the highest and broadest sense, the great interests of civilisation.

This is perhaps an ideal picture, but it is only an ideal one because many men attach far greater value to their material interests than to the performance of their moral duties. They care more for the pleasure of growing suddenly rich than they do for the permanent well-being of the society of which they are members. With such men it is impossible to reason, because they live in a world of their own, which rivals China or Japan in its isolation and selfishness. What, however, we have to do is to obtain adequate securities against the unlawful or injurious domination of any class which, under whatever specious pretexts, may endeavour to aggrandise itself at the expense of the rest. We have a vast amount of experience to guide us in this matter. The smoke has hardly vanished from those Southern battlefields on which two opposing sections of our own race fratricidally avenged in each others' blood that law of nature which was violated by the enslavement of four millions of human beings. And observe what is now taking place in the beautiful island of Cuba. So long as the Queen

of the Antilles enriched the markets of the world with sugar and tobacco, the advocates of what has been called "the negro's true place in nature" might triumphantly point to the material success of slave labour. They might perhaps even think that the amount of exports and imports condoned the horrors of the middle passage. But the issue of this monstrous attempt to destroy the moral equilibrium of nature is seen at the present moment, in a war which has already cost the Spaniards and the Cubans fifty thousand lives—a war distinctly caused by the existence of slavery, and by the lust of power which slavery ever begets.

It is, however, only just to admit that there is no Englishman who, so far as I know, does not distinctly repudiate the idea of establishing the institution of human slavery in any country which is subject to his influence or control. The strong feeling which is now entertained against a word which, in ancient Greece or Rome, excited no sense of shame (although Cicero significantly expressed the opinion that "slaves" should be paid like day-labourers), and which, even in modern times, has fallen with glib approval from the lips of statesmen and philosophers, is well illustrated by the fact that the Dutch Boers in the South African Republic call their slaves by the euphemism "apprentices," and that the people of Queensland have vehemently protested against the application of the phrase "slave-trading" to their traffic in South Sea islanders. Although these facts exhibit a steady progress in the moral opinion of the world, it is necessary that we should pay less attention to words and names than to the reality which is behind them; and it is especially important that we should discuss the principles upon which alone any species of dependent labour should be legally procured or employed by the subjects of Great Britain.

Coolie labour, obtained either in India or China, is the chief element in the industrial system of several of our most important Colonies—notably of the Mauritius and of British Guiana. Other West India Colonies, besides Demerara, use Coolies in the cultivation and manufacture of their various products; but I refer to Demerara especially, because the question there has been recently the subject of a grave official inquiry. A small number of Coolies also find their way to Natal; and I may here be permitted to express the profound admiration which I feel for the just and successful manner in which, in that Colony, a handful of English people have governed without force, or the threat of force—only by the *prestige* which attaches to the British flag—a native population, who outnumber them in the proportion of twelve to one, and who consist of Kaffirs, once warlike and aggressive, but now tranquillised by the pacific rule of a Christian Power. Some of the circumstances of Natal doubtless differ from those of other Colonies, but they who desire to understand how one great native difficulty has been solved without war or bloodshed would do well to study the policy of Mr. Shepstone—a policy which, during the last three years, has attracted to Natal a series of Kaffir embassies from the interior, praying that Great Britain would bring the far distant countries from which they came under her civilised sway, and so give to them peace and security, and to the British people new openings for emigration and commercial intercourse.

The Coolies of Demerara are the mainstay of the sugar cultivation in that Colony. It is generally admitted that their introduction has revived the sinking fortunes of the Colony, and brought it to a high degree of commercial prosperity; although, probably to the astonishment of the great body of the planters, one of their number—as if to afford one more example of the fallacy of all statistics

—recently deposed that the profits upon the capital invested did not amount to more than three per cent. According to Mr. Anthony Trollope, Demerara is a despotism tempered by sugar. It would be a sin to spoil the epigram; but it would assuredly be more correct to say that Demerara is a despotism tempered by the influence or authority which the Colonial Office thinks fit to exert as moderator. Not far short of fifty thousand immigrants form the backbone of the colonial rural population. The new comers are all now obtained from our Indian possessions. They enter into labour contracts for five years, the transaction being completed before the immigrant leaves the port in India. As the Coolie Commissioners show in their very able Report, no objection in point of principle can be justly urged against contracts which are known to, and enforced in, every free state of society. What, however, the effect would be, even in England, if all the relations between capital and labour were based upon a system of indentureship, extending over a period of five years, and so contrived as practically to insure its renewal for five years more, or rather for an indefinite number of such periods, it is easy to imagine, if we turn our eyes to those districts of our own country in which, owing to the operation of the truck system, or to the helpless poverty of the people, the delvers in mines, the forgers of iron, the slaves of the brick-fields, and even ingenious workers at the loom and in watch manufactories, are condemned, Sisyphus-like, to a never-ending round of toil. The case of Demerara is aggravated by the fact that the Indians belong to an alien race; that the whole political power of the Colony is in the hands of the propertied class; that the isolation and remoteness of many of the plantations render it difficult for the Executive to exercise that wholesome vigilance which is essential to the prevention of abuses; and, lastly,

that, so to speak, the stagnant waters are never purified by the healthy agitation of public opinion. It is not enough to urge, in reply to this view of the subject, that we ought to trust our fellow-countrymen, and that they are not more likely to act oppressively than we are ourselves. Granted that the two thousand Europeans who are invested with these exceptional powers, who live in the midst of a strange system which cannot be called slavery, and which yet bears little resemblance to freedom, are as little likely as we are to ignore the rights of even the humblest of their fellow-creatures, or to forget that there is a dignity in human nature which is always entitled to respect: it is nevertheless certain that no nation or part of a nation, no condition or class of men whatever, may be safely trusted with despotic power. The power of the master over the Coolie labourer, it is true, is not absolute, and the exercise of that power is not for one moment to be compared with the cruelties which are perpetrated by Peruvian guano contractors and Cuban planters on their Chinese immigrants. I invite no such comparison, because the evidence would not justify it. In Demerara there is an elaborate machinery of law which is ostensibly intended to secure the proper regulation of the indentureship system. These laws have been not merely passed by the Court of Policy; they have been framed by the responsible advisers of the Crown in the Colony, approved by the Governor, revised by the Colonial Office; yet the Commissioners in their Report disclose such an imperfect, one-sided state of the law—its imperfections and one-sidedness being entirely in favour of the strong against the weak—that it is impossible not to feel how difficult, nay, how apparently hopeless, is the attempt to establish just and equitable relations between capital and labour in a Colony so abnormally constituted. The subject is too complex, and,

at the same time, too technical for a paper of this description; but I may be excused for quoting a brief extract from a bold and luminous pamphlet by Mr. Beaumont, the late Chief Justice of this very Colony, in which he exposes the crushing and unequal severity of the immigrant laws. He says:—"Every neglect or breach of duty on their part (that of the immigrants) towards their employers is made subject to heavy penalties under various sections of Part XII., the fines varying from 24 to 48 dollars, and the imprisonment being imprisonment with hard labour, prescribed not only as an alternative, but as a cumulative punishment, and which may not only be imposed directly for two months, but may be indefinitely extended under the provisions of Sects. 166 and 167. On the other hand, the highest penalty imposed upon employers as such (*vide* Parts XI. and XIII.) is 24 dollars, without any provision for imprisonment, save in the case of ill-usage (Sect. 114), and of criminal offences, such as the falsification of entries or obstruction of officers; while the primary duties of employers towards the immigrants are laid down (Sect. 103) without any penalty whatever being provided for their breach."

If we remember that Demerara is a British Colony, governed by British subjects (who, it may be presumed, chiefly belong to the educated classes), and placed under the immediate supervision of the Colonial Office, the fact, that to whatever part of its complex system of law the Commissioners, Argus-eyed, directed their attention, they discovered the same flaws, the same traces of a master-hand building up a code which was not designed to protect those who have the greatest need for protection, the danger of this artificial state of society degenerating into a condition of slavery appears, at all events, possible, if not imminent. Moreover, when we find that the Immigration Agent-General, who ought to be the natural

protector of the servile class, has been insidiously made a mere dependant of the Governor; that he has no seat in the Court of Policy, which constitutes the local apology for a legislature; that, in addition, although travelling is very costly, he is required to defray out of his salary the expenses of all official visits to the estates which he may deem it necessary to make; that the magistrates, who, from want of accommodation in the country districts, are compelled to accept the hospitality of the planters, have been accustomed to convict the Coolie defaulters in large batches, and to wink at various notorious illegalities; that law is so costly that it is next to impossible for the Coolies to resort to the courts; that the free coloured people are taxed in order to support a system of labour which may come into competition with their own; and that, as the Commissioners emphatically testify, the recruiting agents in India practise the greatest frauds on the immigrants as to the rate of wages they will receive in the Colony, and frequently also perpetrate the greatest frauds on the planters by sending out immigrants who are either idiotic, or leprous, or otherwise physically disqualified;—when, I repeat, we find things like these calmly related of a British Colony, we may well rub our eyes and wonder what has become of our political economy, our Bill of Rights, our supposed capacity for wise administration, our constitutional love of freedom and equality before the law, and all the other paraphernalia of free institutions and liberal ideas, which the Briton is supposed to carry with him, as a part of his stock-in-trade, wherever he may go on the face of the globe.

The Commissioners have hit the blot when they allege that “a harsh system of law has been kept up, not so much for use, as that condonation for offences under it might be bartered against re-indenture.” That re-inden-



ture should come to be regarded as an object to which every thing must give way, is the essential vice of the system. Mr. Jenkins, in his admirable and exhaustive work on "The Coolie," in which to play of fancy, where fancy may with propriety disport herself, he adds a grave and searching power of analysis, manifestly considers that any system of immigration ought to be abandoned, which has not for its ultimate basis the granite rock of free labour, and of a free state of society. He calls re-indentureship "one of the most serious and fatal defects of the immigration system in British Guiana;" and the Commissioners, in the same vein, also significantly remark, that "it would seem to be a concession that immigration, so far as the Coolies are concerned, has failed to fulfil its first purposes, if, after being acclimatised, after learning their work, and after paying their passage out, they must still be brought under indenture after indenture, and not encouraged to take their station in the country as free labourers."

This, then, is the conclusion to which I wish to bring those who are interested in this subject—the inexpediency, from every point of view, of allowing the establishment of any system which is calculated to develop a state of society in which men are not free and equal before the law.

I pass now to a part of the world which has been of late the subject of much controversy—a controversy which I, nevertheless, fear has only reached its initial stages. It may, perhaps, be asked, What have we to do with the internal affairs of Queensland? I might reply, that we have as much right to discuss the internal politics of Queensland as we have to discuss similar questions in any other country. Any thing which takes place in any part of the world is fairly open to inquiry and criticism; and indeed it is only by the conflict of opposing views

and representations that we can hope to arrive at an impartial judgment. But I do not think any one will deny that, if such an institution as slavery or the slave-trade were really to be established under the authority of Queensland, or of any other British Colony, it would be the duty of the Imperial Government to interfere peremptorily, and with the inflexible determination to permit no such violation of the fundamental laws, of the realm. Moreover, if it were possible to prove that no right of interference existed, it is not the less true that our position in the waters of the Pacific renders us peculiarly responsible for the police of those distant seas. If it be true that kidnapping is practised in the islands of Polynesia, or that islanders are carried off, whether to Queensland or Fiji, by means of fraud or barter, we are even more bound to suppress that species of slave-trade than we are to suppress the traffic in negroes between Zanzibar and the coasts of Arabia.

I do not think that any one will dissent from these propositions, which are, indeed, based upon the well-established policy of England, as enforced by a long line of illustrious statesmen, representing both great parties in the State. It will not be denied that grave abuses have existed in the Polynesian labour trade. The question rather is, who is responsible for the malpractices which notoriously exist. Queensland lays the blame on Fiji, while Fiji retorts by accusing Queensland. It therefore becomes a vital question to ascertain, if that be possible, what are the actual facts of the case.

It may be assumed, that on the coast-lands of Queensland a need is felt for tropical labourers; although, if we may judge from the statements put forth long ago by gentlemen officially connected with the Colony, the climate, however trying at certain seasons, is not unsuited to the European constitution. Be this as it may,

there can be no doubt that the planters of Queensland are perfectly entitled to obtain Polynesian labourers if they are procured by legitimate means, and if, in addition, they are paid fair wages, properly treated, and adequately protected by law. There are only two limitations to this general view. The first is the alleged breach of faith to English labourers who have gone to the Colony in the expectation that they would have command of the labour market, and who may therefore reasonably complain of the introduction of an underpaid and servile class. The second is, that if legitimate recruiting cannot be carried on without, at the same time, giving free scope to the illicit practices of lawless freebooters and ruffians, the Imperial Government is entitled to consider whether, in the general interests of humanity, the whole trade ought not to be abolished ; just as when the Emperor Napoleon was convinced that what was called the free immigration of negroes from the west coast of Africa had degenerated, in spite of Government supervision, into a form of the slave trade, he yielded to the remonstrances of the English Foreign Office, and put a stop to a traffic which was replenishing the labour markets of the French Colonies.

It is, of course, of importance to the character of Queensland that the precise degree of responsibility which may be justly attached to her should be determined ; but I am disposed to take a broader view of the subject, and to contend that, whether she be guilty or innocent, whether she has taken proper precautions for the regulation of the traffic or not, the reputation of the Imperial Government is deeply compromised by the acts of kidnapping enumerated by Captain Palmer, of *H. M. S. Rosario*, and by the long series of similar outrages which are detailed in official and public documents. The vessels engaged in this trade are British vessels ; they are owned and manned by British subjects ; and whether

their destination be Queensland or Fiji, it is for the profit of persons owing allegiance to the British Crown that the trade is carried on. A great deal too much has been said about the American nationality being represented at Fiji; but exaggeration on this subject is no doubt due to the fact that the American Government has a Consul there, and that it has also had, for many years past, certain extravagant claims against an island potentate named Thakombau. As a matter of fact the 3,000 people of European race who have settled at Fiji, although including a few Americans and Germans, are almost exclusively British subjects. The duty of bringing their conduct, at all events so far as their relations with the external world are concerned, in conformity with the laws of the Empire against slave-trading, is one which cannot be shirked by the Imperial Government without dishonour to the British name. These people really use the Australian ports as a base of operations for carrying on the slave-trade, because they employ Australian schooners and Australian seamen, to prosecute the nefarious commerce; and, moreover, it cannot be tolerated that British subjects should be able practically to throw off their allegiance at will. However inconvenient to the *laissez-faire* school of statesmen it may be, British authority—the symbol of law and order—should, in some form or other, always accompany British subjects who organise themselves into new communities, especially when, recognising no local government or jurisdiction, they systematically violate the laws of God and man.

I therefore protest against the idea that the responsibility of the Imperial Government begins and ends with Queensland; my contention being that, in a minor degree, that responsibility extends to Fiji. As for the action of Queensland herself, it would be premature to speculate upon the future of that new labour system which, with

the aid of Polynesian immigration, she is building up on her sugar plantations ; and it would perhaps be equally vain to hazard a conjecture as to the extent to which the introduction of savage, or, at best, semi-civilised labourers into the colony, will interfere with the settlement of the country by *bona-fide* European emigrants. These are questions which can only be solved by experience. Without being able to go so far as Mr. Knatchbull Hugessen did in the remarks he made last night, I willingly acknowledge. it by the appointment of agents to accompany the vessels which are engaged in the traffic, and by the rigid instructions which those agents carry with them, the Queensland Government has latterly exhibited a practical disposition to comply with the requisitions of the home authorities, and to conciliate that public opinion which has been so painfully touched by the stories that have reached this country from the South Seas.

As, however, my object is to shed what light I can on the subject, it would be folly for me to throw a veil over the past. The evidence of malpractices on the part of vessels sailing under the Queensland commission, and bringing their human cargoes to Queensland ports, is not to be spirited away by indignant denials and angry invectives, or by countercharges against Fiji or Samoa ; and I must add, that if it be true that one of the best securities for the future good behaviour of individuals or nations is to be found in a sincere and ample acknowledgment of past derelictions of duty, this guarantee is, in the present case, entirely wanting ; for the colonial authorities will not admit that any irregularities whatever have taken place. It is, of course, a question entirely of evidence, and, without quoting the innumerable details furnished by the missionaries and others, that evidence assuredly may be found, if anywhere, in the narratives of Captain

Palmer. This gallant officer undertook a cruise in one of H. M. ships of war expressly for the purpose of making a report to the Admiralty of the actual state of affairs in the Pacific. It was he who captured the *Daphne* and despatched her to Sydney to be tried before the Admiralty Court at that port; and although she was afterwards liberated, there is not the slightest reason to question the truth of his description of the vessel. "We found her," he says, "a small schooner of forty-eight tons register, fitted up precisely like an African slaver, *minus* the irons, with one hundred natives on board, who had been brought here from the New Hebrides, having experienced the pleasure of a dead beat to windward for twenty-one days: they were stark naked, and had not even a mat to lie upon: the shelves were just the same as might be knocked up for a lot of pigs—no bunks or partitions of any sort being fitted; and yet the vessel was inspected by a Government officer at Queensland!" If we accept anybody's testimony we must accept that of an officer, who is specially instructed to ascertain the truth from local inquiry and observation; and when he declares, as he does in one of his despatches to Commodore Lambert, that "many hopeful young men have been seduced or torn away from their homes, who were under the beneficial influence of the missionaries; husbands have been taken from their wives, and daughters from parents; many have been brutally treated, and some murdered in cold blood, by men calling themselves Englishmen, and professing Christianity," it is impossible to believe that he was the victim of mental hallucination.

It is to be earnestly hoped that the recurrence of these and of other abuses will be effectually prevented by the new regulations which have been issued by the Queensland Government. There is, however, real cause for alarm in a statement made by Mr. A. H. Palmer, the

present Colonial Secretary at Brisbane, in an official letter dated 12th April, 1871. He says, "A proposition to amend the Act so as to make it compulsory on employers to introduce a proper proportion of the two sexes, was, I believe, contemplated by Mr. Arthur Hodgson during his tenure of office as Colonial Secretary, but I am not aware that the proposition was favourably received by any large section of the community; and certainly the present Government have never in any way bound themselves to supply, as stated, such an omission in the regulations, nor do they now recognise the necessity of it." Those who are acquainted with the frightful evils which are inseparable from any state of society in which celibacy is practically enforced, or from which all natural domestic and family life is excluded, will feel with me, that so long as the policy avowed by Mr. Palmer is adhered to, so long will this immigration be a moral curse to the Colony.

For my own part I believe that the only satisfactory solution of the native labour question lies in the mitigation or abolition of its compulsory character. Contracts, if made for a term of years, should be made, not in the islands, but in the Colony, beneath the eye of responsible public officers. No contracts with Chinese emigrants to the United States are binding unless they are made in that country; and thus all the abuses which might result from a system of speculative recruiting are prevented. There is no reason to believe that the Polynesians would not work if they entered the Queensland labour market as voluntary agents.

My task is now ended. It has been my desire to avoid saying one word which could be justly offensive to any British Colony or British colonist. The subject is ripe for discussion, and I have endeavoured to discuss it with temper and moderation. The proudest traditions of this Imperial State are associated with the cause of freedom—



of freedom for the nation and for the individual ; and the earnest hope of every true Englishman is, that wherever his kinsmen may migrate, in whatever region of the earth they may dwell, and among whatever races their lot may be cast, they will remain faithful to those principles of political and personal freedom which are the foundation of our national prosperity, and the secret of our national glory.

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Mr. H. E. WATTS had, he said, some experience of the Colonies, and it was the last thing which he should do to uphold in any way in a Colony a tendency to slavery (hear, hear). Yet he knew that the Colonies were charged very unjustly with maintaining a system of labour, through the employment of Coolies, which was something like slavery. A lady said to him a short time ago, "O dear, I should not like to live in Australia!" and when he asked her why, she replied, "Because I should not like to live where there are any slaves." Now, he had seen something of Coolie labour. He was in Queensland when the Act was passed in the Parliament there for the introduction of Coolies, and he did not believe that there had been any abuse connected with it. But it was his impression—nay, more, he firmly believed—that the labourers employed in the brickfields of England were worse off and more hard-worked than the Coolies in Australia and other places ; and he thought it would be well for those who wished to be regarded as philanthropists, if they would not confine their sympathies to coloured men (hear, hear). The long, weary hours of labour—excessive labour—and the small returns for it, which were often not sufficient to purchase necessary support, was a state of things not respectable for England. He knew that there was a desire on the part of the employers of Queensland to deal fairly with their labourers—indeed, they were obliged to do so, if they wished to keep them on their lands ; and if at all there were any acts of unkindness, they were exceptional cases, arising out of a desire to preserve peace and order. He did not believe the Colonial Office could be a mediator in these matters, as it was in his opinion an upholder and creator of the abuses complained of.

Mr. CONSTANTINE BURKE (Assistant Attorney-General of Jamaica) thought he might say that the paper read this morning afforded him much pleasure. Its aim was to direct the atten-

tion of the people of England to coloured labour, as in operation in British Colonies. He was not going into the subject extensively; but there could not be any denial of the fact that if our West Indian Colonies were deprived of what was called foreign labour, England could not receive such a large amount of West Indian produce. In Jamaica there were 2,490,000 acres of land, but only 492,246 were cultivated. Thus thousands of acres of land were lying idle, because there were not sufficient hands, either English or foreign, to cultivate them. The climate and soil were peculiarly adapted to the cultivation of special commodities, and the highlands were considered the most salubrious climate in the world, yet there was a great outcry for more men to occupy and till the ground. Rich lands were left to the beasts of the field and the fowls of the air to inhabit. Respecting the introduction of labourers, he would say in Jamaica there were some thousands of Coolies imported, and in ten years it was not known what had become of them. They were outcasts, lepers and helpless men of a vagrant character, and the result was the Colony suffered from their introduction, for they were thrown on the poor-rates. The importation had not been a good one; but now there was another kind of labourers, introduced under the protection of their own Government. They were immigrants, and were superior men, and were under the cognisance of medical men. The new system worked well. And in respect to the introduction of Coolie labour, he wished distinctly to say that as the lands could not be cultivated without hands, and there were no English labourers to be obtained, proprietors had a right to employ Coolies, it being to their interest to obtain the most efficient men they could, and to make their labour as free and remunerative as possible.

Captain BEDFORD PIM, R.N., said he had thought a great deal about emigration to the West Indies, and he had carefully prepared a letter on the subject, which he had addressed to the Duke of Manchester, Chairman of the Committee of Emigration. He thought emigrants might be divided into two classes—viz., those capable either wholly or partially of helping themselves, and those entirely destitute. The only means of dealing with the former, in the hope of diverting them from emigrating to a country where they speedily became England-haters, was to reduce the passage-money to our Colonies to less than at present rules to the United States, and to make the Colonial Homestead Law at least equally favourable with that of American States. The emigration of the latter involved a free passage and the work in their new home on

arrival. With this class, and this class only, he now proposed to deal. The first question was, what part of the world was best fitted to receive those of our destitute population ready and willing to emigrate. He would answer, the Cape of Good Hope, Brazil, or the West Indies; but he proposed to confine himself exclusively to the West Indies. As regards the climate, he knew of no part where the heat was too great for white labour. Indeed all statistics went to prove that the average duration of the white man's life was certainly not less than that of the inhabitants of any other country under the sun, whilst perhaps the hardest labour in the world—namely, stoking on board a steamer in the tropics—fell entirely to the lot of white men. This and other important facts tended to dissipate the bugbear that a white man could not labour in the tropics; and in the case of the destitute emigrant the fact was especially important—indeed a warm climate was entirely in his favour—inasmuch as all the necessities of life were much more easily raised, and the wants of civilisation reduced to a minimum; so that the emigrant's constitution, more or less debilitated by underfeeding and previous habits of life, will not be overtasked in the effort to make a living for himself and family—which would not be the case, for example, of the man sent to Canada, and exposed for six months out of the year to all the rigours of an arctic winter. Labour was in great demand all over the West Indies, whilst there was a superabundance of land ready for occupation. About a thousand Coolies were yearly imported. They were paid one shilling per day, with their rations, while they were only required to work a very short time each day. Taking all the West Indian Islands and British Guiana, the planters could probably absorb at least 10,000 of the very poorest of our population per annum, but the utmost they would require could be readily ascertained from the various West Indian agencies and firms in London, Liverpool, Bristol, &c. He would propose that the men be hired for three years, and be allowed to take out their wives and families. At the end of that time, each man who had strictly fulfilled the terms of his engagement should have a freehold of twenty acres granted as a bonus. To show what a boon this would be, not only to the settler, but to the community amongst whom he was located, he would instance the amount of population in the three well-known places, showing the room for an expansion of the population. For instance, Guiana has only two inhabitants to the square mile, Trinidad forty-eight, and Jamaica, one of the oldest of our Colonies, seventy; while from the last report it ap-

pears that more than a third of the total acreage of even Jamaica, the most thickly-peopled, is available for the purpose he had sketched out. As to transport, he felt strongly how easily the surplus line-of-battle ships, now rotting away in our harbours, could be turned into safe and commodious transports. By taking the guns out, by reducing the crews to fifty, and by working the service economically, he did not hesitate to say that a squadron of five of these vessels, tested experimentally for one year, would not even be felt in the navy estimates, whilst the boon it would confer on givers and receivers was incalculable. In fact, this matter was at the bottom of the whole question, and should be perseveringly followed up, until the force of public opinion compelled the Government to form an Emigration Transport Department. As to the paper read by Mr. Chesson, he had derived great benefit from it, and some of the subjects alluded to had been so well handled, that the paper had "taken the wind out of his sails" (hear, hear, and laughter).

The Rev. Mr. JONES, Archdeacon of Georgetown, Demerara, said he was a native of Demerara, and could say that he and his fellow-colonists were exceedingly sensitive respecting the accusations which had been brought against them. Some remarks which had been made led him to believe that fair play had not been shown towards them. A writer who had been referred to at the Conference had been to Demerara, and, in recording his discoveries, wrote home to say that there were gentlemen in the Colony (laughter). This writer must surely have expected to have found a species of creatures akin to those cogitated in the cranium of a Darwin (laughter)—or a sort of tadpole, perhaps, which did duties as men in the absence of creation's rightful lords. Certainly people who lived in England might have been led to believe, from what had been reported from Demerara, that such was the case. However, it was somewhat consoling that "some gentlemen" had been found there (hear). Another thing, it was said that the doctors were controlled by the planters, That was not true. He had a brother there, a medical man, who sacrificed his life in properly discharging his excessive duties, and he (the Archdeacon) would strongly deny that Coolies were ill-treated or in any way enslaved. They had hard work to do, and received the encouragement of their employers. He would not endorse the views of Captain Pim. He had read with pleasure what the gallant Captain had written, but he did not think that white labour was suited to the West Indies.

Mr. CONSTANTINE BURKE said he knew for certainty that on the

high hills of the West Indies, but not in Demerara, white labour would succeed well. It was the finest land and climate in the world. Those hills were some 7,000 feet above the level of the sea, and were considered by medical men as the finest place known for invalids. Europeans were now working on the high lands of Jamaica, and amongst them were many Irishmen and Scotchmen.

Mr. BEAUMONT, late Chief-Justice of British Guiana, thought that some of the points referred to by Mr. Chesson, in his paper, were of great excellence, and he regretted to say that there were none of our Colonies concerning which so much ignorance existed as the West Indies. This was owing in some extent to the greatness of their area and the varied character of their climate. He believed that Europeans could live in some parts of the West Indies, but he must confess that he should be sorry to see his countrymen at the mercy of the West Indian planters, who thought that their black fellow-subjects were unfit for freedom, and would not work so well for hire as when in slavery. He was glad, however, to be able to state that there was no race of uninstructed men who had made such progress as the black men of the West Indies. They were also very industrious, and, as an instance of the value of labour, he could say that the imports into British Guiana of British produce amounted to £11 per head for every man, woman, and child in the Colony. That was not equalled in any other Colony. He was in favour of complete emigration, whether Coolie or otherwise, provided it was on a free basis. The Coolie could be made into an excellent labourer when properly treated. In British Guiana 60 per cent. of the plantation work was done by Coolies; all the skilled labour was done by negroes.

Mr. ARCHER (Agent-General for Queensland) said he was able to defend the Colony of Queensland from the charge of illtreating Coolie and other labourers. He denied that Government ships had been used for kidnapping, and said he had documents in his possession which proved that every Polynesian, on arriving, was asked by an interpreter whether any force was employed to bring him into the Colony; and when he was put to work there was no difference in the way in which he was treated from that of a white man. The laws respecting labour in Queensland were similar to those in England, and there was no difference in the administration of those laws between white or coloured men. If a coloured man did not fulfil his contract he was liable to imprisonment; and, on the other hand, if a master failed to perform all he had agreed to do, he was also liable to imprisonment, whether the failure of

his duty was towards a black or a white man. It was not long since he (Mr. Archer) returned from Queensland, and a gentleman, whom he knew well there, had just arrived in England. This gentleman told him that on paying a number of Polynesians for their labour, they expressed the greatest satisfaction, and hoped to work for him another season. Some of them declined to return to their islands. Some of them he offered ten shillings per week and their food, but they would not accept it. They were, however, willing to work for that sum for a month if he would afterwards give them fifteen shillings, providing he found that their work was as well done as that of white men. Such contracts and bidding for terms showed that their labour was free labour. More than this, he could refer them to an article in a Queensland paper, which he had brought with him to the Conference, giving statistics of the amount of deposits in the Queensland Savings Bank, made by the Polynesian islanders. It appeared that 129 accounts were in the name of Polynesians. He would not pretend to say that no abuses had ever been perpetrated under this traffic, but there was a very erroneous impression that these men were not free. The Chief Justice of the Colony had remarked that there was no law to prevent a Colony from importing labour. All the law could do, and did do, was to protect the labourer in the exercise of his industrial functions. A remark had been made about the disproportion in the number of the sexes. He was happy to say that in Queensland there was now a fair balance, owing to men bringing their wives with them. He hoped, in conclusion, that when it was again said that Polynesian labour ought not to exist in the Colony of Queensland, that the statement would be challenged; and as to what some had said about employing Coolies in preference to Englishmen, it should be remarked that colonists could obtain no other. It was, therefore, "Hobson's choice"—these or none (hear, hear, and laughter). He was sorry the paper of Mr. Chesson's had been read, because it was erroneous.

Mr. CHESSON, in replying to the discussion, remarked that the party to which Mr. Watts had referred was hardly obnoxious to the charge of neglecting home duties for the sake of distant objects of sympathy. That gentleman's illustration, was indeed, rather an unfortunate one; for it was Lord Shaftesbury, one of the foremost champions of the rights of coloured races, who had dragged to light the iniquities of the brick-fields; and he believed it would be found that those who were zealous against oppression abroad were equally resolute in their determination to abolish similar evils

in their own country (hear, hear). In reply to Mr. Archer, he (Mr. Chesson) pointed out that he had not preferred charges of cruelty against the planters of Queensland. But while willing to believe that the cases in which Polynesians had been ill-treated were purely exceptional, he contended that many of them had been removed from their own islands by improper means—a point upon which Captain Palmer's evidence was absolutely conclusive. That gallant officer's authority was unimpeachable, because he had been directed by the Admiralty to proceed to the Pacific for the express purpose of investigating the state of things which existed there. In conclusion, he said he had been careful to discriminate between the case of Queensland and that of Fiji, and he denied that he had made any statement which was not amply justified by public and official documents (hear, hear).

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THE SATISFACTORY SETTLEMENT OF THE COLONIAL WASTE-  
LAND QUESTION IN 1855, AND ITS EFFECT ON THE  
IMPERIAL DOMINIUM.

By Mr. AUGUSTUS B. ABRAHAM, of the Middle Temple.

Having been requested by those who organised these meetings to contribute something to the common object, I have made some notes on "The Satisfactory Settlement of the Colonial Waste-Land Question in 1855, and its Effect on the Imperial *Dominium*."

When I remind you that this *settlement*, which I call *satisfactory*, included the very measures, viz., new constitutions for the Australian Colonies, and the conceding to them the management and control of their waste lands, which, the latter especially, have been so strongly denounced since these meetings commenced, you will see that I am directly at issue upon this subject with some of those who are leaders of this movement. I knew, of course, that my friend Mr. Jenkins held the views he has expressed, because what he has stated here is urged in almost equally strong language in one of those valuable



essays for which we are all so much indebted to him, and to which I shall presently refer. But I wish it to be understood that it is just because I hold these opposite opinions that I have been requested by Mr. Jenkins and the Executive Committee, within the last few days, to express them, and that I have made the following *hasty*, but, I trust, *accurate*, notes upon the subject, and you must, therefore, blame them for the infliction to which you are now about to be subjected.

Some years have elapsed since these new constitutions were introduced, and during that period we have heard little about any colonial question—except, indeed, the New Zealand war and the Jamaica troubles. Ought we not, then, to conclude that their existing *political machinery* has worked *well*. It was not until the autumn of 1869, when it was determined to remove the troops from New Zealand, that public attention to colonial affairs revived; great agitation then began, and now, owing, no doubt, to the extraordinary events which have occurred, and are occurring around us, a whole crop of colonial questions has sprung up, and (to judge from the attendance at these meetings) there is no lack of interest therein.

In approaching the consideration of these questions, especially that of the new relationship which it is proposed should be brought about between this country and her Colonies, all who take part in these discussions should recollect that “Time, the great innovator,” as Lord Bacon calls him, has been at work in the Colonies themselves just as much as here, and that ‘he innovateth greatly as well as quietly.’ New principles, new views, new interests, and new combinations have come into existence there, and are in full play. We cannot ignore these, for, to use the words of the same great philosopher, “civil knowledge is conversant about a subject which, above all

others, is most immersed in matter and hardlied reduced to axiom." There is one thing we may be sure of, that no attempt will ever be made by the *Imperial Legislature* to control or abridge the representative institutions granted to the Colonies, or any of the rights conferred therewith, *except at their own request*. The impossibility of so doing was admitted on all sides during the great colonial debates of 1850, and, in fact, urged as a reason for caution, and as the excuse for ministerial delay in then passing an imperfect measure. So far as the control over the waste lands is concerned, the position of the Colonies has been still further strengthened. It was long since said by Mr. Gladstone\* that "when once the grant of popular institutions was settled, the *land* question would soon settle itself. It was not in the power of the British Parliament to withhold the management of land in a Colony for any very long time after it had fully conceded the principle of popular representation." Parliament, in 1855, conceded these two great rights, and it has since insisted that these communities shall be primarily charged with the ordinary business of their own defence. Therefore, according to Mr. Gladstone, although still territorial divisions of the Empire, "they are really, in the full sense of the word, *free*. The privileges of freedom and the burdens of freedom being absolutely associated together."†

If this, in truth, be their position, and I was delighted to hear the fact so distinctly recognised by Mr. M'Cullagh Torrens last night, in that powerful, and, to my mind, most sound speech, it is surely, beyond all things, of importance to have *that* question settled, as being the basis of your whole proceedings.

\* Hansard, v. 122, p. 889.

† Departmental Committee on Colonial Military Defences, 1859. Answer 3781.

It is "the growing importance of the questions arising out of the colonial relations to Great Britain" which, according to your circular, has led to this Conference being held; and if, in the course of your proceedings, whilst this importance becomes clearer and clearer, so that, as was also said last night, it is impossible to be exaggerated, doubts are suggested as to the nature of the now existing "colonial relations," especially as to the position in which the colonists themselves stand in relation to the lands where they are settled, it is most fitting that, before we part, these doubts be cleared up as far as possible. Opposition to the *present system of colonial government* is the very cause of your meeting. Antagonism to the views and proceedings of those who were in authority in 1855 is the basis of the opinions I am now combating, and are we to add to these a *hostile questioning* of the cherished rights of the colonists themselves? If so, certainly your mission is not one of peace and conciliation! On this account I thought it would be ungracious not to respond to the frank and chivalrous invitation of Mr. Jenkins to attend here, and to criticise thoroughly *his own* views, whether written or spoken, and to undertake the task—not a small one—of collecting all the facts together, with dates and references to authorities, forming the history of the question. Without this knowledge, what security have we that old questions of an irritating character may not be revived again in another shape? In fact, my fear is, that the regrets which have been already so loudly expressed at the removal of the old restrictions from the Colonial Legislatures in relation to the land will have an injurious effect, and tend greatly to defeat the objects of those who advocate schemes for confederation. Statesmen in this country loudly declared, when these concessions were delayed, that the "integrity of the Empire was threatened;" and may not the same cry be

raised again, if the idea gains ground that in any of the proposals countenanced by this Conference or the Colonial Institute, an attempt is really being made, covertly and slowly, to abridge, qualify, and defeat the rights then conferred.

It is not only in the writings of Mr. Jenkins, but also in those of my friend Mr. Macfie, the member for Leith (whose unwearied interest in the Colonies all must acknowledge)—writings which have been largely circulated in the Colonies as well as here—that these schemes for confederation and plans for co-operation, in promoting something like *indiscriminate emigration* (a question upon which the Colonies are most sensitive) have been advocated; and, what appears to me worst of all, they have been pressed upon the consideration of those in authority upon the distinctly avowed plea that the powers now vested in the Colonial Legislatures were conferred, as the lawyers say, *per incuriam*, i.e., without due consideration.

I hope I shall make it plain that these suggestions have been made under a misapprehension of the real facts, owing to the great difficulty of following the course of legislation on the subject by those who have not been for many years so directly connected with these particular Colonies as to be obliged to notice the events as they occurred.

But I will first read to you the actual remarks of the two writers to which I have referred. In the essay on "Imperial Federalism" in the *Contemporary Review* of January, 1871, after commenting on the proposal for a federal union approved of in the Report of the Victorian Royal Commissioners, Mr. Jenkins proceeds thus:—"Before such schemes are further elaborated, may not we and the Australian Colonies judiciously consider what claims the Imperial Government, representing the British nation, has upon those provinces? Colonial

ministers acting under the Crown have from time to time constituted small patches of society, excised from our own community, the absolute owners of property held, in all moral and political honesty, in trust for the people and government of these islands; for it was won and maintained by our adventure and sacrifice. *A slip of an Imperial pen has unreservedly transferred whole provinces to those casual communities*; but this has been done with the implied trust that they should be held and used only in harmony with Imperial interests. No minister or Government had the power to confer more. These territories, from which we might have drawn *Imperial* revenues, are now administered solely in the interest of the settlers. We exact from them no direct pecuniary profit. They have been the *gift* by which we meant to reward the enterprise of our adventurous sons. But they must not suppose that they have the right to divest them of the Imperial *dominium*. They hold them as our fellow-citizens, on the basis of their citizenship, and against the Imperial will they must not assume the right of removing them from us. Every man, woman, and child in our Colonies; the sooner they and we understand it the better for all. *The 'unwashed' millions may claim their interest in the matter, and insist that careless statesmanship and intemperate politics shall not jeopardise the enormous stake they have in the integrity of our dominions.*"

Out of a series of papers by Mr. Macfie on "Colonial Questions" several extracts to the same effect might be made, a few will suffice. Take p. 3:—

"Think, further, of the transfers made, without equivalent and without condition, of millions on millions of productive lands.

"It might have been wiser and better for all parties

if these lands had either not been transferred, or had been transferred upon some distinct condition that they should be promptly let or sold, or turned to account in the ways most likely to promote the welfare of the whole people, and not merely of the persons who have already settled or will settle there, and, in particular, that they should be as easily as possible obtainable by immigrants.

"However that may be, two things are obvious—that the Government and Legislature of the mother-country transferred these territories on an implied, though necessarily unexpressed, understanding that the colonial connection is indissoluble; and, further, that what the mother-country, almost unsought and altogether without a price, gave, she relied on the colonists being ready to dispose of in such a manner as to *attract* thither her surplus population. The *nation*—by which term we mean the whole people, wherever in the wide world located—had a right to expect this return." \*

Mr. Macfie further avows in a note, at p. 38, that "at the late meetings at which he had rendered an account of his stewardship he characterised the way in which the United Kingdom had, WITHOUT DEBATE IN PARLIAMENT, and without receiving any equivalent or even stipulating for any share of or control over the proceeds of sales, divested herself of the whole lands and territories she possessed till, within the last few years, in our thriving Colonies, as 'playing ducks and drakes' with those costly and valuable national properties,—the right to deal with which at the present time might have presented a ready and useful means of relief from difficulties connected with Ireland, and with the depression<sup>pr</sup> of trade in Great Britain." And at p. 44 of the same paper he explains his views of a "federation" to mean "that each of the associated countries which constitute the Empire should subject

\* Colonial Questions, p. 3. Longman & Co. 1871.

itself, in respect to Imperial interests, to a central conjoint Administration, which should have the right to determine and legislate for peace or war, *emigration and Crown lands*, and contributions of men and money for military and naval defence and armaments on the basis of population."

All remark as to the precise practical object of these expostulations, the strict accuracy of the views here enunciated, the past and present position of the Colonial Governments, and also as to their proceedings, will be conveniently deferred for the second division of my subject. I shall now proceed at once to the charge of want of *due consideration*—that being the most important, because affecting British statesmanship; and I think it can be shown that so far from "a mere slip of the pen," and an absence of parliamentary debate, the question of colonial constitutions and the management and disposal of waste lands received the most searching consideration before the passing of the Acts which conferred them on the local Legislatures.

Lord Stanley's Act (5 and 6 Vict. c. 36), which raised the minimum price of waste lands to £1, and disposed of the proceeds half to emigration and half to public works, under the sole control of the British Government (the subject of so much dispute), was passed in the year 1842. It was not repealed, so far as Australia was concerned, until 16th July, 1855, by 18 and 19 Vict. c. 56. If any one searches the parliamentary debates of the last-mentioned period he will be greatly baffled by not finding any discussion on the Land Question. The reason is that the main discussions took place in 1850, when an ineffectual attempt was made to obtain its repeal, and the subject was afterwards thoroughly exhausted in 1852, when control over the waste lands was conceded to New Zealand (15 and 16 Vict. c. 86).



There are thus, in fact, three periods in the history of this Waste-Land Question, which we shall do well to bear in mind :—

1. From 1785, the foundation of the Colony of New South Wales, down to 1831, during which *free grants* were the rule, in proportion to the capital of the settler, the grant to be resumable if certain improvements were not made.

2. From 1831 to 1842, the date of Lord Stanley's Act, between which dates (except in the Colony of South Australia) the prices varied from 5s. to 12s. an acre.

3. From 1842 to 1850, during which period Lord Stanley's Act was in operation.

I should mention that I except South Australia, because that Colony was founded in 1836 upon the Wakefield or "sufficient price" principle (*i.e.*, £1 per acre), and it has been said by some that the price was raised to the same amount by Lord Stanley's Act *throughout the rest of Australia* in order to prop up the then falling fortunes of the Colony of South Australia. However this may be, certain it is that agitation immediately began after the passing of Lord Stanley's Act, and continued during the whole of the third period, viz., from 1842 to 1850, against its provisions. Select Committees of the Legislative Council of New South Wales investigated and reported against the system in 1843, 1844, 1845, 1847, and 1848; and in August, 1849, the present Chancellor of the British Exchequer, then a member of that Council, gave notice that he would move a set of resolutions to the effect that no form of constitution for the Colony would be acceptable, permanent, or beneficial, which did not embody five requisites, the first being "responsible government," and the fifth, "transfer to the local Government of the management of the waste lands, and the revenues thereof." \*

\* Hansard, v. 103, p. 1004.

In 1849 Lord J. Russell brought in a Bill to give a new Constitution to Australia, in which no mention was made of waste lands. A question was then asked, and Lord J. Russell, after due consideration, came down and announced "*that it was the intention to grant the management to the Colonies.*" That Bill was withdrawn, and in 1850 a new Bill was introduced, which, amongst other novelties, actually provided machinery for a federal assembly of *all* the Australian Colonies, and delegated the management of the waste lands unconditionally to this assembly, without any reservation to the Crown. This proposal was, however, condemned as impracticable; and the noble lord, late one evening, in Committee on the Bill, not only gave up the proposal of delegating the waste lands to the federal assembly, but further said he should withdraw the power from the Colonies altogether.\*

The Bill of course raised other important constitutional questions, such as "Double Chamber," "Nominees," "Veto," "Franchise," "Separation of Victoria from New South Wales," "Colonial Church," and, as ultimately passed, gave powers to the Legislative Councils of each of the Australian Colonies to frame new constitutions for themselves, excluding legislation as to the land. The debates in the Commons occupied nine nights, and in the Lords seven. Mr. Hawes, then Under-Secretary of State for the Colonies, justified the withholding the control of the lands, because "they were in fact the estate of the Crown held for the benefit of the people of England as well as the people of the Colonies."† Mr. Roebuck, on the other hand, made the valuable suggestion that "definite and wide limits should be assigned to our then existing Colonies in Australia, so that the tracts of land intervening between each of those Colonies

\* Hansard, v. 110, p. 1410.

† Ibid., p. 1407.

might be at the disposal of the Imperial Government," thus enabling it to see "what amount of land they might have available for, and as *an appanage of, the poor of this country*. But he would give to each Colony control over those lands which lay within their own boundaries."\*

After the federal scheme was abandoned, Lord Lyttelton proposed a clause giving power to *the Governor and Legislative Council to be established under the Act*, to repeal Lord Stanley's Act, and to provide for the future management and appropriation of the land revenue, assuring Earl Grey that he expected the colonists would be willing to retain the existing division in the appropriation of the funds; but the latter refused, assigning the same reason as that given in the Commons by Mr. Hawes.† This view of the matter was fully combated on the other side, in both Houses, and the following eminent statesmen declared themselves favourable to an immediate transfer:—Mr. Gladstone, the present Speaker of the House of Commons, Earl Fitzwilliam, Lord Brougham, Sir William Molesworth, Mr. Disraeli, Sir J. Graham, Lord J. Manners, and Messrs. Adderley, Roebuck, and Walpole.

The measure was thus not only fully discussed, but the ministry and all parties had in addition two extraordinary means of being enlightened on the subject. They had in the previous year (1849), before framing their Bill, adopted the course (which Mr. Disraeli characterised as unconstitutional)‡ of taking the advice of a committee of four members of the Privy Council, one of them not being a member of either House, as to the steps to be taken in legislating for the future administration of the Colonies. The report then made,§ signed by Lord Campbell, Lord Taunton, and Sir Edward Ryan, and dated 4th April, 1849, ought to have convinced them of

\* Hansard, v. 110, p. 644.

† Ibid., v. 111, pp. 1050—4.

‡ Hansard, v. 110, pp. 603—7.

§ See *post*, p. 163.

the right of the colonists to free institutions, including, of necessity, the management of the lands; and it certainly left the Government without excuse for their vexatious delay in repealing Lord Stanley's Act. But this was not all. When the Bill was in the House of Lords, Lord Brougham moved that certain colonial petitioners should be heard at the bar of the House against the measure; and it was stated that the present Chancellor of the Exchequer, who represented the petitioners, and had then arrived in England, would address the House, "and that he would speak as a landholder and for his brother Legislative Councillors;" but the motion was rejected by a majority of eight, Earl Grey objecting to the proposal for reasons not complimentary.\*

As soon as the new Act arrived in the Colony agitation recommenced, and the Legislative Council, on the 1st May, 1851, before giving place to the new Legislature, recorded an indignant protest against the non-repeal of Lord Stanley's Act, in the following terms:—"The exploded fallacies of the Wakefield theory are still clung to; the pernicious Land Sales Act (5 and 6 Victoria c. 36) is still enforced, and thousands of our fellow subjects, in consequence of the undue price put by that mischievous and impolitic enactment upon our waste lands, in defiance of the precedents of the United States, of Canada, and the other North American Colonies, and even of the neighbouring Colony of the Cape of Good Hope, are annually diverted from our shores, and thus forced, against their will, to seek a home for themselves and their children in the backwoods of America. Nor is this all. Our territorial revenue, diminished as it is by this most mistaken policy, is in a great measure confined to the introduction among us, of people unsuited to our

\* Hansard, v. 111, pp. 943, 954, and 966.

wants, and in many instances the outpourings of the poorhouses and unions of the United Kingdom, instead of being applied in directing to this Colony a stream of vigorous and efficient labour, calculated to elevate the character of our industrial population ;” and they claimed the immediate redress of five grievances, the second being in these words—“That the revenue arising from the public lands, derived as it is ‘mainly’ from the value imparted to them by the labour and capital of the people of this Colony, is as much their property as the ordinary revenue, and ought therefore to be subject only to the like control and appropriation.” This protest was followed on the 5th December, 1851, by a petition from the Council to the Queen, in which they denounced the systematic and mischievous interference which was exercised by the Colonial Minister in matters of purely local concernment ; and they offered, on the surrender to the Colonial Legislature of the entire management of all their revenues, territorial as well as general, in which they included mines of every description, and upon the establishment of a free constitution, to assume the whole cost of their internal government, whether civil or military (exclusive salary of Governor-General), and to grant to her Majesty an adequate Civil List.” Earl Grey in reply, 23rd January, 1852, expressed his astonishment, denied that the Council represented the feeling of the country, and appealed from them to their constituents, insisting that the Crown was trustee of the lands for the whole Empire, on all the grounds taken by Mr. Jenkins, and he expressly urged that their present value had been mainly given through the expenditure incurred by this country in founding, maintaining, and defending the several settlements.\* The reception of that reply irritated the new Council elected

\* Hansard, v 138, p. 1974. *Vide*, also, Par. Papers, 1 July, 1852, (1534) pp. 10, 11, 23, 26.

under the Act of 1850 to such a degree that they prepared a further remonstrance, which the Governor thought it necessary to apologise for sending. This remonstrance and the two prior documents were signed "Charles Nicholson, Speaker," and after the views expressed here the other evening by Sir Charles, on the subject of the absolute control of the waste lands by the colonists, we can imagine the great pain he must also have felt at the discourteous tone of the remonstrance, and his deep regret that his official duties as Speaker obliged him to append his name thereto. In this remonstrance the Council renewed their claims with additional arguments, and thus dealt with the "increased value" question:—

"It is proved by Parliamentary returns laid before the Transportation Committee of the British House of Commons in 1837, and by evidence before their own Council in 1844, that all the expenditure thus incurred had been reimbursed in a twofold degree out of the savings which, up to 31st March, 1836, had accrued from the transportation to these shores of the criminals of the mother-country. That Victoria had been notoriously a self-supporting Colony from the outset, and had besides, in common with New South Wales, paid out of its territorial revenue for the passages of the greater number of its immigrants prior to their separation."\*

Little did the colonists imagine whilst preparing this last remonstrance that they might have saved themselves the trouble, as Earl Grey had gone out of office a few weeks after penning his despatch, and the Earl of Derby's Cabinet, after five nights' debate, had, with the cordial concurrence of Earl Russell and Earl Grey, settled the question before the end of June of that same year, by passing a Bill whereby the control of the waste lands had

\* Parliamentary Papers, March 14, 1853 (1611), pp. 23—27.

been given to *New Zealand*, notwithstanding the remonstrance of those interested in Australia at the injustice done to the latter.\* The case of *New Zealand*, of course, stood upon very different grounds, but the *New South Wales* colonists would not have been more reconciled to the policy of the Colonial Office if they had heard Earl Grey in the House of Lords coolly deny the right of his successors to claim any credit for their concession, because "it was no novelty at all. Canada, Nova Scotia, and *New Brunswick* had been allowed to regulate this matter by means of the Colonial Legislatures; and in the *West Indies* the same rule prevailed!"†

The *New South Wales* Council then drafted a *New South Wales Government Bill*, setting at naught the limit to their power of legislation contained in the constituent Act of 1850, and giving themselves all the powers they considered they were entitled to. Before that Bill arrived in England Sir J. Pakington followed up his *New Zealand* Act by sending off to *New South Wales* an important despatch of December 15, 1852, wherein he announced that the Government had determined to abolish the restrictions contained in Lord Stanley's Act, on the sole condition that the colonists should grant a Civil List to her Majesty, being persuaded "that those restrictions should no longer be maintained unless they were so by the will of the colonists themselves, either as regards the selling price of land or the application of the proceeds." And he added, "that the cost of an immigration which had become more than ever necessary to the welfare of the Colony, and was far more important to its interests than to those of the mother country, would be best undertaken by the Legislature of the former. Her Majesty's Government were willing to rely, in all respects, on the foresight

\* *Hansard*, v. 121, pp. 102 *et seq.*

† *Ibid.*, v. 122, p. 1171.



and political judgment of that body to which the supervision would be transferred, especially in its improved shape, and they were bound to add that it appeared to them matter of justice as well as expediency that concessions on so important a subject, which had been made for some time to the principal North American Colonies, and recently to New Zealand, should no longer be withheld from New South Wales." \* On the Colony passing the necessary Act providing their constitution with a civil list annexed, as agreed on, Sir John Pakington promised that the necessary measures to carry out this and other great concessions would be proposed to Parliament.

It took time for the several Colonies to prepare their different measures, but this being done the necessary Acts, some four in number (of a curiously complicated character), for conferring constitutions, and to repeal Lord Stanley's Act, were brought in, in May, 1855, by Earl Russell, who had then returned to office ; and thus ended this prolonged struggle which must have been at last as wearisome to the actors therein as the bare narration of it, I fear, has been to you.

Trusting that I have established to your satisfaction that the Imperial legislation of 1855, by which the question of the management of the waste lands was settled, took place after long and full investigation with most ample discussion, and that all the very matters now urged to discredit it were, in fact, fully weighed and considered, I proceed to the second part of my subject, viz., "The effect of the measure on what is called the Imperial *Dominium*."

Dispensing with all technicality, let us take these words to include all Imperial rights to lands in the Colony as

\* Par. Papers, March 14, 1853 [1611], pp. 45, 6.

they existed previous to 1855,—whether claimed through the Crown as strict prerogative, or under the Acts of Parliament which then regulated the matter, or which could be suggested as being equitable or moral rights resulting from the then past dealings of the British Government with the Colonies. However irresistible the conviction may be that, after the full sifting the question had undergone, every right intended to be reserved would be clearly expressed and nothing left to *implication*, let us deal with the matter in detail.

You observe that I am not going to explain to you the different regulations made by the various Colonies for the sale and disposal of their lands under their new powers, nor to trouble you with statistics as to the comparative sales of land before and after the passing of the Act, nor to enter upon a disquisition as to the relative merits of high and low prices. I leave these matters to others, together with any details as to the various modes in which the moneys arising from the lands, whether by sale or otherwise, have been applied. My business is only to show how Imperial rights then existing were affected by the final legislation on the subject.

These rights may be classified thus :—

1. Those resulting from the relation of sovereign and subject, being other than those of tenure.

2. Those resulting from the principle of tenure that all lands in the kingdom are holden of the King as the sovereign and lord paramount.

3. “Imperial interests” resulting from Lord Stanley’s Act and other Imperial legislation. And

4. Any trust or claim resulting from past Imperial expenditure.

1. The rights of the sovereign other than those resulting from tenure.

These would not require any notice, but that Mr. Jenkins, in his able paper on Federalism, has ingeniously mixed up the question of the administration of waste lands according to what he calls "Imperial interests," with a totally different and inconsistent matter, viz., the right of the colonists to divest them of "the Imperial *Dominium*." True he contends that the colonists as citizens are bound to continue such, because of what he considers a *gift* to them of the waste lands; but I think it will appear as we progress that he here assumes the whole question, and that there never was any such gift. I need not say that the colonists do not claim to be "the absolute owners of the waste lands" in the sense alleged. They know that they have to administer the revenues derived therefrom in such manner as shall in their sole judgment best advance the interests of the Colony as part of the British dominions, and render it, as Mr. Macfie puts it, attractive as a home or place of sojourn for her Majesty's subjects, who are free to come and go therefrom just as they please. With regard to this question of possible separation let me say this. We should never forget that the Colonial Legislatures are not so omnipotent as the Imperial Parliament, and that one of their constituent parts, the Governor, acts under instructions from the Imperial authorities, and cannot sanction any proceedings affecting real Imperial interests, certainly not anything aimed at the dependence of the Colony. Further, no Act can be passed which is repugnant to British law, and the tie of allegiance being perpetual, can only be severed by Imperial legislation.\*

\* It is not within the scope of these Notes to discuss whether any more artificial tie has now become necessary. The advocates of Confederation appear to have no faith in the ties of race, language, religion, country, self-interest, or similar privileges and institutions. "The mere political link of sovereignty," of which Herman Meri-

Is it because certain Commissioners scarcely recovered from the irritation caused by the removal of the troops from New Zealand in the midst of war, and from Australia, notwithstanding their offers to pay, met to consider the subject of local federation, which has been long urged upon their attention in the interests of the Empire, and because some of them canvassed the possibility of devising a scheme whereby the neutrality of the Colonies might be secured in case of war, that we are, as reasonable men, to jump to the conclusion that the Colonies are ripe for separation, and at once place ourselves in a hostile attitude? It was excusable that the question should be mooted, considering the doubts then existing about the intentions of our Ministry on the subject, and the state of English public feeling thereon. I hope, however, that I may be justified in saying that few people, if any, in the Colonies now trouble themselves about the matter, except it be professional politicians who, there as elsewhere, must find something to talk about, and writers in the press who are led to deal with the subject in reply to remarks made on this side. The spirited measures taken by the colonists for their own defence during the recent war warrants one in coming to this conclusion.

2. Imperial rights resulting from the principle of tenure, &c.

This principle is a mere legal fiction, and no beneficial claim can be founded upon it. It is adopted for con-

vale long since wrote ("Colonisation," pp. 290—3), is to them a rope of sand; and they appear to regard his vision of "England retaining the seat of the chief executive authority, the prescriptive reverence of her station, the superiority belonging to her vast accumulated wealth, and as the Commercial Metropolis of the world, and united by these ties only with a hundred nations," as an idle dream.

venience, and to prevent improper acquisition of lands from aborigines, with consequent embarrassment to the mother-country by the demands of the purchasers for protection. It will be best understood by giving instances of its application.

In 1835 the present New South Wales and Van Diemen's Land were the only portions of Australia occupied. Schemes were afloat for unauthorised settlements around Port Philip Bay. An enterprising blacksmith of the latter Colony, named Batman, crossed Bass's Straits with a party of natives, and bought an enormous tract of country around the Bay from the aborigines. On settlers arriving, Batman is said to have at first warned them off, but becoming more conciliatory, he consented to show them the country. Taking them up to the summit of Mount Alexander, the highest peak near to what is now the City of Melbourne, he pointed on all sides, and exclaimed, "There, as far as you can see, belongs to me, and all beyond to my son Tom!" He reported his purchase to Colonel Arthur, the then Governor of Van Diemen's Land, who declared the purchase and claim illegal, as the Crown alone could so acquire title. The matter was reported to the Colonial Office; but meantime the district became rapidly settled. The Colonial Office at first protested, but in 1836 directed the Governor of New South Wales to assert the Crown's rights; and thus, in direct opposition to the wishes of the British Government, the present flourishing Colony of Victoria was founded.

Take another example. You are aware that New Zealand was the field of great missionary enterprise long before 1830. The flag of the Independent Chiefs of the Northern Island was recognised, and in 1832 Lord Goderich informed the Chiefs that James Busby, Esq., was to be his Majesty's Resident there, and that the

object of his appointment was "to extend to their country all the benefits which it was capable of receiving from its friendship and alliance with Great Britain." The instructions issued to Mr. Busby, April 13th, 1833, were that he was to be "British Resident" with (to all intents and purposes) an independent and sovereign State, and this independence was afterwards in terms distinctly acknowledged in the instructions to Captain Hobson, when in August, 1839, he was appointed British Consul there. In this state of things Mr. Busby purchased from the natives, by payments admitted to have been ample, certain valuable lands near the Bay of Islands. Many others did the same. Afterwards, in February, 1840, the famous Treaty of Waitangi was executed, by which the Chiefs of New Zealand ceded the sovereignty of their country to the Queen, together with the exclusive pre-emptive right of their land. Her Majesty, on her part, guaranteed them their lands, possessions, and customs, with the rights of British subjects. On the British Governor arriving, all these land purchases were disallowed, but the claimants were promised limited grants. This was the origin of the New Zealand land claims, with their bitter disputes. The proceeding involved a wrong application of the principle we are considering, because New Zealand was, at the date of these purchases, in exactly the same position as a foreign country, in which British subjects are entitled to acquire lands. Mr. Busby's claim, after long litigation, has at last been settled by the payment, only the other day, of a sum of about £40,000 by the Provincial Government of the Province of Auckland—being only one of the many costly legacies left to the Colony by Imperial rule!

It would be curious if, at a time when certain philosophers, following the example of potentates, are asserting for the people of this country "an historic title" to

the lands within this realm—because of the abuses, or, as they call it, the robbery and spoliation perpetrated on the people thereof under the sanction of the feudal system, certain other philosophers should be able to claim successfully for this same people an equitable right to lands within the Colonies based upon the existence of this very feudal fiction which at home they wish altogether to ignore.

The Maories of New Zealand understood the matter better, for when the Treaty of Waitangi was explained to them, they are reported to have said, "All right! Maori keep the substance—Queen the shadow," and this, without any Scotch lawyer expounding to them the distinction between "*dominium directum*" and "*dominium utile*."

3. "Imperial interests" resulting from Lord Stanley's Act and subsequent enactments.

Under these Acts the Government of Great Britain exercised the following rights in the interest of the mother-country, and, as they asserted, of the Colonies also:—viz., 1. Surveys of land before sale. 2. Quarterly sales by auction. 3. Minimum price of £1 per acre, cash. 4. Net proceeds, after cost of survey, to be appropriated, as to one half, at least, for emigrants not possessing means to pay passage money, and the residue for public works, as the Treasury should direct. Subsequently, in 1846 and 1847, powers were given to lease for fourteen years, and different regulations and prices were fixed for settled, intermediate, and unsettled lands. All kinds of conflicting interests arose in the Australian communities under these provisions, which gave rise to violent differences of opinion; whilst here, the great object then aimed at, as now, was secured—viz., the absolute disposal of a large portion of the land funds for promoting uncontrolled



emigration from this country. Then, as now, people confounded "emigration" with "colonisation," and so long as they could secure the former they resolutely insisted upon restrictions which entirely forbade the latter.

These reservations to the Crown and restrictions could not by law have any existence by exercise of the prerogative—*i.e.*, if Colonies were founded by royal charter. An Act of Parliament was necessary, because they were in derogation of the rights of her Majesty's *free* subjects who emigrated to the Colony, and who carried with them all their rights and privileges which were suitable to their new position. In the case of New South Wales a temporary suspension of these rights was necessary, because the Colony was, and continued for many years, a mere gaol on a large scale. It was unlike the old Colonies, which were founded on the dictates of political justice: "these latter"—I adopt the words of Mr. Gladstone—"were subjected on one hand to the general restraints of the law of England; and again, according to their charters, they were to have their laws, as near as might be, agreeable to the laws of England; whilst in other respects they were, for all practical purposes, absolutely and entirely free."\*

The opinion of Lord Campbell, Lord Taunton, and Sir Edward Ryan, in their report to the Privy Council, to which I have already referred, is conclusive on this point. They say, "In all the Colonies acquired during the nineteenth century by the *occupation* of vacant territories, the same system of internal legislation by a Governor and a Council appointed by the Crown has been introduced by the authority of *Parliament*.

"In Colonies so acquired, the royal prerogative was competent *only* to the establishment of systems of civil

\* Hansard, v. 121, p. 958.

government, of which a Legislature, *composed in part, at least, of the representatives of the people*, formed a component part. To dispense even for a while with such a Legislature, parliamentary aid was requisite. But in sanctioning that departure from the general type or model of the earlier colonial constitutions, it has been the practice of Parliament to recognise the ancient principle, and to record the purpose of resuming the former constitutional practice as soon as the causes should have ceased to operate, which in each particular case had forbidden the immediate observance of it." \*

This view of the law is borne out by the actual legislation of Parliament at the end of the last century: first, to form a convict settlement in New South Wales; and, secondly, to found a Colony at the same place. By 24 Geo. III. c. 56 (1784) his Majesty and the Privy Council were *authorised* "to declare and appoint to what places, &c., beyond seas, either within his Majesty's dominions or elsewhere out of his Majesty's dominions, felons shall be transported; and courts, on conviction, were empowered to order transportation to the same." By order of the Privy Council, 6th December, 1785, the eastern coast of New South Wales, or other of the islands adjacent, were appointed for the purpose. Then came the 27 Geo. III. c. 2, which, after reciting the last-mentioned Act and order, further recited "that it might be found necessary that a Colony and a civil Government should be established in the place to which such convicts should be transported, and that a court should be established with authority to proceed in a more summary way *than is used within this realm, according to the known and established laws thereof*; and it then authorised the Crown to appoint a court of judicature, consisting of the judge-

\* Parl. Pap., May 25, 1849 (1074), p. 34.

advocate and six officers (sea or land), five to form a quorum, for conviction.

The various restrictions which were thus imposed simply on account of the original character of the settlement, were continued long after the original necessity had passed away. England having first made the spot a receptacle for her convict population, added to the injury by "shovelling out there (as it was described) her pauper population," To carry on this system it was necessary to keep the control over the waste lands, to arbitrarily regulate their disposal, and to keep up the price, for the purpose of raising an emigration fund,—to say nothing as to the maintenance of interests which had come into being under the system. The existence of the Colonial Office was always justified because it was the guardian of these *Imperial interests*. The theory of the lands being "held for the benefit of the people of England as well as the people of the Colonies" was invented, and resolutely insisted on, until, as we have seen, better principles prevailed, and Parliament resolved to thoroughly change the former policy of the Colonial Office. Then how stands the case *now*? The Imperial Parliament has declared that the waste lands and their management are local matters, and not Imperial, and they have repealed the Acts which gave the Imperial authorities any control. How then can any one say that they continue matters of "Imperial interest" in the *old sense*? Only by suggesting a trust involving a fallacy. It is true that being held and used in harmony with "local (colonial) interests," and the Colony being part of the Empire, they are *in that sense* held for "Imperial interests," but not otherwise. It is evident that the supporters of this view are disinclined to accept the recent legislation as binding and conclusive, and to that end they suggest the idea of an implied trust through the medium of the

"Imperial dominium." But I have shown that under the latter only (without the aid of an Act of Parliament) the land would be entirely a matter of local administration according to law. There remains no other pretext for suggesting a trust, except my last head, viz. :—

4. Trust resulting from past expenditure on the part of Great Britain.

As far as New Zealand is concerned this is out of the question. The Crown did not buy the lands there, although it reserved to itself the sole right of pre-emption. It delegated that right for a time to certain other persons (the New Zealand Company) within certain defined limits, but obstinately maintained it after the extinction of that company throughout the whole of the northern island. There it would not purchase and would allow no one else to purchase, notwithstanding the urgent demands of the settlers; and it opposed, until a very late period, all attempts to obtain power for the natives to individualise their titles and so to effect sales. This was one of the main causes of Maori discontent and ultimate total want of faith in the British authorities. When the new Constitution Act was passed, the claims of the New Zealand Company for their outlay in the south, amounting to £268,370, and an annual charge of £7,000 as a provision for the natives, were charged upon the lands of the Colony, acquired and non-acquired; and in addition to this, the handful of adult males there have now to bear a debt of more than four millions sterling, occasioned by a war for which the Imperial authorities were mainly, if not entirely, responsible, besides having paid to the Imperial treasury the lump sum of £500,000 for Great Britain's military expenditure.

The Colonies of Australia, on the other hand, were

founded by mere occupation without payment to the aborigines. The claim for expenditure by the British Government in other respects was, as we have seen, set up by the Colonial Office in 1852, but completely demolished by the remonstrance of the New South Wales Legislative Council of the 10th August, 1852.\*

If there be then no *Jus Legitimum*, or right in law, except the safeguards which result from fellow-citizenship and being subject to the same sovereign; and no *Jus Fiduciarium*, or right in trust, for which there is a remedy only in equity; there remains, according to the civilians, only one more right, viz., *Jus Precarium*, or right in courtesy, for the which there is no remedy at all, except fair speaking and goodwill towards our colonial fellow citizens!

And why should not these secure for "Imperial interests," in this matter of emigration, all that can be legitimately desired? It is to the British islands that the colonists must mainly look for their supply of population. Schemes for forming new settlements and promoting emigration, whether countenanced by the Imperial Government or not, can be planned in concert and co-operation with the different Colonial Legislatures through their Agents-General; but do not begin with questioning their right to be treated as upon an equality, and to have an undoubted reasonable veto upon your plans. It is well to remember that the colonists can import free labour from where they please—even from a foreign country, if so disposed, and they deem it best suited for the development of particular industries. But here again ample security is provided for the due disposal of the lands according to the interests of the people at home, as well as those of the settlers; inasmuch as the old incapacity of an alien to acquire lands in the Colonies is still

\* See *ante*, p. 152.

retained by the 33rd Vict. c. 14, secs. 2 and 16, and he can only obtain naturalisation within the limits of the Colony by Act of the local Legislature—such Act being subject to confirmation or disallowance by her Majesty in the same manner as other laws.

But enough about legal or any other securities! Can it be necessary that I should add more? Must I discuss the *natural right* of a man within the realm to be carried across seas at the expense of somebody else in the Colonies? Am I to weigh the merits and claims of the “unwashed millions” as candidates for emigration against those of the poor, yet clean, honest, and industrious citizen; or to inquire whether Great Britain, under the influence of Social Science Associations, has not now undertaken to do her “washing” at home? Must I point out, if these claims are put forward on philanthropic grounds that Canada, to which three men can be sent instead of one to Australia, is the inevitable limit of your labours in justice to everybody?—but that if you wish to send them to the Antipodes for certain *Imperial reasons*, then it is a matter of Imperial political, and not private, right; and its exercise should be provided for, if not entirely, certainly to some extent, out of Imperial funds! Surely I have said enough, and I will conclude by simply asking you one question, “Are you, or are you not, satisfied that our colonists ought to have the uncontrolled management of their local concerns, including the waste lands, as contra-distinguished from Imperial concerns?” If you answer yes, you agree that the settlement of 1855 was satisfactory; if you answer no, then I can only say that you will proclaim to the world and to the colonists themselves, in most unmistakable terms, that you, the members of this Conference, have no faith in them, and that you do not believe that they are as true and rational men as yourselves.

Mr. W. F. VESEY FITZGERALD argued that the history of the dealings with colonial lands proved that there was no stable, judicious, or reliable system in existence, as regarded the management of the relations between the mother country and the Colonies. To charge the want of wisdom evinced by that history, or its unfortunate results, on one statesman in England, or on the Colonial Office, would be quite unreasonable. It was evident from default of an Act of Parliament that the present state of things had arisen, and to the want of a stable, judicious, and reliable system of management that the evils to be lamented were attributable. He therefore thought that the remedy would be to establish a wise and permanent system of management, and this could be provided—and experience justified him in asserting that it could alone be provided—by arranging a judicious system of Imperial Federation. Even a merely advisory council, representing colonial sentiment and knowledge in London, would of necessity be a check on the eccentricities of official and legislative action.

Mr. EDWARD JENKINS thought that, short as must necessarily be the discussion which must take place on the paper read, there was not one individual present who would grudge the time devoted to it; for, of the papers read before the Conference, this one bore on it a research and honesty of purpose such as was not to be noticed in any other yet contributed. Not only that, it struck him that there were results which Mr. Abraham had succeeded in developing, together with facts which were unknown to almost every person present. But when he (Mr. Jenkins) came to investigate the nature of the results which the writer had deduced, it struck him that he had built up a very careful and methodical pack of cards, which it only required a slight touch of the finger to knock down. He had looked at the question too much with the eye of a lawyer, rather than that of a statesman. His weakest point was that in reference to *dominium*. It was clearly stated that the lands of a Colony belonged to the Crown; but, in speaking of lands sold, he had dealt with them as lost. He had cut off a portion of territory, just as we might sever Cornwall from England, and then said that the dominion of the Queen was destroyed there. This could not be correct, for the Crown had not lost absolutely all control. If a Colony endeavoured to use the waste land granted to it, on the formation of its constitution, for purposes which were not consistent with the general interests of the people of the Empire, the Crown then had a right to step in and interfere, and say, "Thus far shalt thou go and no farther." But this was a very different position



from that which Mr. Abraham had spoken of. Another point to which he (Mr. Jenkins) would allude was, that when reference was made in the paper to the right of the central Government over various lands of the Empire, we should remember that in the United States, where questions of property had been discussed, the whole of the land there was held on a system of allodial tenure, and that all the lands there were taken and theoretically held subject to the interests of the people in general. It was the same in England, and also with respect to lands in the various Colonies. Nothing was clearer than this, that although the Imperial Government made over to the Colonies the Crown lands, this was done with a view that such lands should be disposed of consistently with the general interests of the people. He did not for one moment think that the Government intended to withdraw what they had done.

Mr. LAWSON said Mr. Abraham assumed that the question of waste lands was settled in 1855. Two of the Colonies had nearly doubled in population since that time.

Mr. F. P. LABILLIERE said it appeared to him that the discussion of the expediency of handing over to the Colonies the control of their waste lands was of no practical importance. The thing had been done and could not be undone. Mr. Jenkins had evidently seen, when he remarked, a few minutes ago, that he did not for one moment suppose that the Imperial Government intended to withdraw from what they had done, that there was little use in dwelling on this aspect of the land question. The Colonies doubtless best understood the management of their lands, and felt their interest in disposing of them was that of the people of this country. It had always been their policy to use their lands for the purpose of attracting population. They had always well considered the question, and perhaps the greatest discussions that had ever taken place in the Colonies had been in respect to the disposal of the lands. But supposing the Imperial Government had kept the control of waste lands in their own hands, how could they have managed them? Mr. Abraham, in his paper, had given a specimen of the way in which the Government did manage them; and the greatest difficulties which had arisen respecting their disposal had been occasioned by the Orders in Council, by means of which the Imperial Government attempted to dispose of Crown lands in Australia. He (Mr. Labilliere) maintained that it would have been utterly impossible for the Imperial Government to continue to hold colonial Crown lands, and that they did wisely, in the interest of all parties concerned, in placing them in the hands of those who

were naturally most capable of managing them. It would have been impossible in Downing Street to manage colonial lands, and had the Colonial Office appointed agents in the Colonies for the purpose it could, from lack of local knowledge, have exercised no control over them. There would have been little use in giving self-government to the Colonies had the control of one of the most important things the Legislature of a country can deal with, its lands, been withheld from them. He was rather surprised to find his friend, Mr. Jenkins, speaking of the management of these lands as an Imperial and not a local subject. His recollection of what Mr. Jenkins had written on the subject in the *Contemporary Review* was that it would be necessary to give to Colonial Legislatures the management of local affairs.

Mr. WHALLEY, M.P., said, whether they spoke five minutes or five years on the subject, they must come back to the point which Mr. Abraham had mentioned, viz., "If the Conference was satisfied that the Colonies ought to have the management of their own affairs, they then agreed that the settlement of 1855 was satisfactory; but if they were not satisfied, they then proclaimed to the world, and to the colonists themselves, in most unmistakable language, that the Conference did not believe that colonists were as rational and true men as themselves.

Mr. DENNISTOUN WOOD said there were certain waste lands which originally were of small value, but by persons emigrating and spending their capital upon them, they were increased in value fourfold; was it therefore to be said that these lands belonged to the Crown? Surely not, and for this reason he could not coincide with Mr. Jenkins's theory. It was a fact that there were some lands which originally were not worth five shillings an acre, but now that they were worth much more, it was not fair to even assume that they belonged in any sense to the mother-country. So that if they came to consider the matter, the proportion of waste lands belonging to the Crown was very small indeed.

*EMIGRATION AS SEEN IN CANADA.*

By the REV. A. STYLEMAN HERRING, Incumbent of St. Paul's, Clerkenwell, and Chairman of the Clerkenwell Emigration Society.

The new Dominion of Canada, being the nearest of our Colonies, has of late justly presented the greatest attraction, as a field for emigration. Its great prosperity, its suitability for all kinds of labour, its being within ten days of our shores, and numerous minor advantages, all point to its being just the country whither our superabundant population can, with profit, resort. I say of late; for since the Black Friday of 1867 emigration has received a fresh impetus.

As a metropolitan clergyman, with a district of eight thousand people, I tried every means to alleviate the sufferings and hardships of the poor and unemployed, but without any permanent good effect. At last, after consultation with my working men, I determined to start an emigration "club." The main features were "physical capacity;" an effort to help themselves, by weekly payments; giving weekly instruction on colonial life, habits, &c.; discussion on these subjects; the prohibition of politics and doctrinal religion at such discussions; the gathering funds from the public; and the selection by payments and choice of the members of our club. These clubs have rapidly increased, and in many parts of London, the provinces, and Scotland, are flourishing, and sending forth suitable members to Canada, Australia, and New Zealand.\*

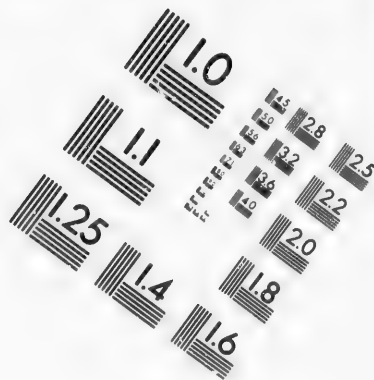
\* Full particulars of the system of the Clerkenwell Emigration Club, and any information on such matters, may be had from the Chairman, the Rev. A. Styleman Herring, 45, Colebrooke Row, Islington, N., who will gratefully receive any donations (much needed) to assist the deserving poor who are helping themselves.

Thankful am I that God put into my heart this mode of doing good to my fellow-man, and that the fruits are seen by 2,330 members of our Clerkenwell club being assisted out; and, personally, I do not know of a dozen families having failed; but the great majority are progressing satisfactorily, and making such substantial progress as to induce their friends and relatives to join them. This speaks volumes in itself. Looking upon our Colonies as the poor man's inheritance, and as an outlet for some of the seven hundred human beings daily added to our thirty-two millions of population, I deem it but right, as an Englishman, to be enthusiastically loyal in endeavouring to unite with an indissoluble bond, the Colonies and the mother country.

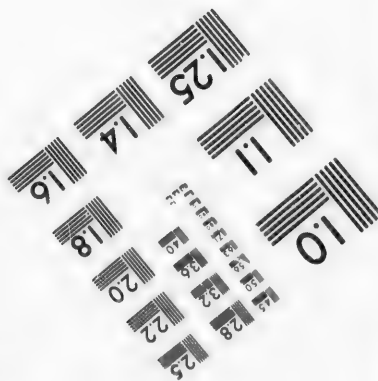
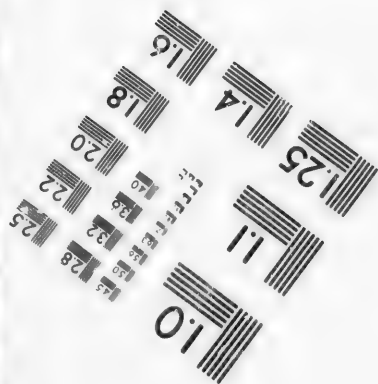
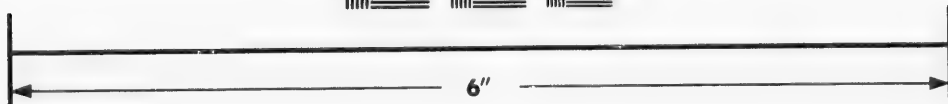
I must now guide my steps across the mighty Atlantic. Last fall I undertook this arduous journey, to ascertain for myself whether the encouraging accounts I received were strictly correct, and whether I could conscientiously recommend the further assistance of the poor and unemployed, and the encouragement of emigration generally to the new Dominion. My passage across was most delightful, as naturally Father Neptune and myself are very good friends.

The food for the emigrants was ample, and most nutritious, and above the rules laid down by the Allan's Montreal Steamship Company. The men most properly sleep in hammocks by themselves; the women and small children in bunks. All take meals together. I would suggest a library of books, and appropriate games might be afforded. Regular ministrations were conducted each evening at 8:30, and twice on Sundays. By the end of the voyage all seemed physically improved, and in the best of spirits.

On arrival at Quebec, the Government officer, Mr. Stafford, meets the immigrants. Those intending to



A resolution test chart featuring various patterns of horizontal and vertical lines. Each pattern is accompanied by a numerical value indicating its resolution. The values include 1.0, 1.1, 1.25, 1.4, 1.6, 1.8, 2.0, 2.2, 2.5, 2.8, 3.2, 3.6, 4.0, and a central column of smaller values: 4.5, 5.0, 5.6, 6.3, 7.1, 8.0, 9.0, 10, 11.2, 12.5, 14, 16, 18, 20, 22.5, 25, 28, 31.5, 36, 40, 45, 50, 56, 63, 71, 80, 90, 100, 112, 125, 140, 160, 180, 200, 225, 250, 280, 315, 360, 400, 450, 500, 560, 630, 710, 800, 900, 1000, 1120, 1250, 1400, 1600, 1800, 2000, 2250, 2500, 2800, 3150, 3600, 4000, 4500, 5000, 5600, 6300, 7100, 8000, 9000, 10000.



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settle in the Dominion are sent free to places where the officials have been informed that labour is required. Friends are sent to friends, often having berths awaiting their arrival. The accommodation-trains are frequently beset by hirers of labour; and instead of twenty or fifty applicants importuning a master for one place, as is frequently the case in London, two or three "bosses" will be asking the same man to hire out himself to them. Never shall I forget the inexpressible joy of a late poor unemployed East-end London labourer whom I met at Lindsay, Ontario. "Why, Mr. Herring, I could not make it all out. Why, do you know, sir, that I who had walked fifty miles a week in the East-end seeking work, and for weeks was refused every place I tried for, had actually three offers of work while walking from the railway-station to this dépôt." The Dominion Government have dépôts at Quebec, Montreal, Ottawa, Kingston, Toronto, and Hamilton, and I hope soon at London. Here immigrants are fed and lodged for forty-eight hours, and often longer, and sent free to their destinations.

There are in Canada more opportunities for men rising in the world than here. Three-fourths of the present possessors of wealth and position landed with very little means in their possession.

There have settled in Ontario during 1869 and 1870 48,000 immigrants. The Government have now offered 200 acres of land to every married couple, and 100 acres for all persons over eighteen years. Last season 180,000 acres of forest-land were taken up. In travelling through the free-grant (Muskoka, or Clear Sky) district, I found that 60 to 70 per cent. was good land. The money and skill required to take up a free grant have been somewhat exaggerated. The farming is very simple, and about £20 is alone necessary to begin with. Several of my club near Ashdown and Parry Sound began with



much less ; and I saw them happy and contented. Land generally sells for 2s. in the back parts, to £6 per acre in the more settled regions. Canada's wealth is in its land, and there is now a most splendid opening for any British tenant-farmer with a few hundreds to settle within the Dominion. Manitoba is also a fine field for emigration. I visited very many of my immigrant friends, both in towns, villages, on farms, and in the backwoods, and nearly all expressed themselves satisfied with their present life, and as looking hopefully to the future. The principal institutions and things they praised were the free-school system, whereby every one can obtain a free and excellent education for their children, and, at a small cost, a good grammar school, and even a university education, which the municipal or county authorities can pay for ; and so education is freely given to all. I may add that there are 4,882 free schools in Ontario alone, with 406,000 scholars. Thus the humblest have great educational advantages throughout the Dominion.

Again, the free grants are well spoken of. The patent of land is granted after five years' occupation, and with very trifling requirements. Lately, the Ontario Government have expended 20,000 dollars in clearing land and erecting log-huts to the north of Lake Rosseau. These lots can be taken up on easy terms by new settlers.

The entire closing of grog-shops on Sundays, *i.e.*, from 7 P.M. on Saturday to 7 A.M. on Monday, is looked upon most favourably. Its good effect I witnessed in better attendances at church and schools, in the better clothing and general appearance of the working classes. It would be, indeed, for the lasting benefit of our dear country, with its one public-house for each 182 people, and for every 120 near London, if on Sunday she would follow in the footsteps of Canada. No evil results would ensue, but a blessing everywhere and upon all. Drunkards are fined

3 dollars, or twenty-one days. London, Canada West, with 25,000 people extra at the annual fair, had only eight extra drunk.

Further, the food, especially animal, is much more abundant. A working man, living and boarding for 12s. 6d. per week, would consider himself hardly used if he did not get meat twice every day; and this is universally the case. The good food, the healthy out-door exercise, the constant employment, and the invigorating climate, all tend to develop mankind; and for physique and manly appearance, I know no one superior to a Canadian lumber-man.

As fruit and vegetables abound, you see these in profusion on the humblest tables. The photograph of a hungry East-End mechanic, and the same man after a six-months' sojourn in Canada, do not look like the same individual. The necessities of life are cheaper, but clothes and luxuries are dearer than in the old country.

Many of my immigrant friends have joined the militia, which is most popular, though compulsory; and it speaks well for the Colony, that with but  $4\frac{1}{2}$  millions of people she has 600,000 men capable of bearing arms, with 42,000 standing militia, and that in the last of those abortive Fenian raids she could have 48,000 fully equipped soldiers in the field within twenty-four hours. We cannot but admire the squad of Canadian riflemen crossing the Atlantic, for the sake of displaying their loyalty and skill in shooting at Wimbledon: they deserve a public recognition; and glad should we be to hear of the Colonial Minister, the Lord Mayor, or some one in authority, giving them a public entertainment.

The universal holidays, on which all abstain systematically from work, are the Queen's birth-day, Dominion-day, Easter, Whitsuntide, Christmas, and that day of interchanges of social friendships, the 1st of January—when the gentlemen, on their handsome sleighs, calling

on friends, partake of their hospitality, the ladies staying at home to receive their guests. It is on these occasions that the Canadians publicly exhibit their loyalty; and believe me, the Queen has no more loving subjects, or any who would more willingly shed their last drop of blood in her defence, than her Canadian people.

Labour, almost of all kinds, is abundant. Applications for labourers of all classes are numerous: Ontario railways require 25,000 at the present moment. It must be always borne in mind that as the cost of living is one-third cheaper in towns, and one-half in the country, the rate of wages, though seemingly not much in excess, are, considering other advantages, much superior; for the working-classes, as a rule, are better taught, paid, and fed than in our own. Labourers get generally 4s. 2d. per day; farm ditto, 60s. per month, with board and lodging; rough carpenters, 5s. 3d.; joiners and painters, 6s. 3d.; men accustomed to drainage works, 7s. 6d.; tailors, engineers, plasterers, bricklayers, and first-class shoemakers, 8s. to 10s. Trades Unions do not exist to any extent. Each is paid according to his individual worth. A "boss" is the foreman; often the master. Young girls, "helps," obtain 16s. 8d. per month, and upwards; housemaids, 25s.; cooks, 33s., with excellent board and very kind treatment.

Provisions are cheaper in the country than in towns. Mutton ranges from 3d. to 5d. per lb; beef, 4d. to 6d.; pork, 4d. to 7d.; sheep's head with et ceteras, 2½d.; bacon, 7d.; flour, 6s. per 100 lbs.; 4lb. loaf 5d.; potatoes, 1s. 3d. per bushel; apples (abundant) 1s. 3d.; butter, 10d. per pound; cheese, 7d.; pure milk, 2½d. per quart; tea, 3s. 2d.; sugar, 5½d.; fowls, 1s. each; ducks, 1s. 8d.; turkeys, 3s.

House rent is 16s. per month, with garden, in towns. In villages and in the country most possess their own dwellings. A shanty costs about £20. Most log-huts, barns, &c., are fixed up by "bee" parties.

As an illustration of substantial progress, the following came under my notice a few days since :—A shoemaker, living within half a mile of this spot, was assisted to Toronto by the highly-esteemed member for Westminster, Mr. Smith (who personally aided last year one hundred families to emigrate). He told me he earned never less than 42s. per week ; living on 12s. 6d. This spring he came back to the old country to see his friends, and staid six or eight weeks, and, persuading an old schoolfellow and his newly-married wife to go back with him. Where will you find a London shoemaker, out of his savings, able to pay a visit to that lovely city of Toronto, stay six or eight weeks, and come back, after a seven-thousand miles' journey, to Westminster ?

I might record very many cases—individual cases—in which emigration has proved an unmixed blessing.

For English emigrants, I prefer the Province of Ontario to Quebec. The nationalities, religion, temperature, fertility of country, and great prosperity, are all decidedly in favour of Ontario.

In parting with my emigrant friends I always give them a little advice. First, directly on landing, "join yourselves to some Church community" (all are churches in Canada, and each church stands or falls by itself). Secondly, avoid the whisky, and abstain altogether, if possible. The extreme heat, 95°, cold 28°, seems to effect most terribly hard drinkers, as the lunatic asylums (the finest of all buildings) are filled with these poor misguided creatures. Thirdly, "Be exceedingly careful about your cents and dollars," especially during your first year, as winter clothing (costing some £7), setting up a new house, &c., are heavy taxes upon the purse at first.

The Dominion Parliament is held at Ottawa ; the Ontario, at Toronto ; the Quebec, at Quebec. Most people express themselves satisfied with this form of government ;

and, judging by their newspapers, the Canadians are aviciously fond of politics.

The newspapers are well, and generally ably, conducted. The *Weekly Globe* at Toronto holds pre-eminence. Judging from the records, the Canadians are law-abiding, country-loving, and prosperous people. How different to the *Chicago Republican* of July 1st! which records 5 births, 9 marriages, 2 bigamies, 8 divorces, 4 elopements, 6 deaths, 8 suicides, 8 murders, 5 hangings, and 7 appointments for execution.

Thank God, such admirable agencies as the British and Colonial Society, the National Emigration League, Miss Rye's, Miss Macpherson's, the Hon. Mrs. Hobarts, and the Marchioness of Ripon, together with numerous emigration clubs, are actively at work in aiding the poor and unemployed to those lands, which God, having given us, has also greatly blessed, and where work and food are abundant.

From London to Quebec, it costs about £7 each by steamer, and £5 by sailing vessel, with sea-kit and railway: half-price under eight in steamers, under twelve in sailing vessels.

I am convinced, from personal observation, that emigration is the most permanent way of helping the poor. A hundred pounds so subscribed will effect more lasting good to the recipients and their families than any other mode of charity. I can but reiterate the expressed wish that our "useless wooden ships" should be utilised, and be the means of conveying happiness to many a home. Canada wants labour, and England has an overabundance.

I perceive by the Washington treaty that England will not only have to pay handsomely for the Alabama claims, but Canada will justly ask for some compensation for the loss of her fisheries, &c. Could not we repay this just debt, by transplanting 100,000 persons from over-peopled England to under-peopled Canada? Would not both sides be benefited?

May God continue to bless Canada! May He put it into the hearts of many to take up emigration, the most permanent and practical way of aiding our struggling poor! And may England and her Colonies ever remain faithful to her faith and traditions! for verily "Righteousness exalteth a nation, but sin is a reproach to any people."

There was no discussion; Mr. ABRAHAM remarked that it appeared to him that it was better to send three persons to Canada than one to Australia.

At the evening sitting, Mr. MACFIE, M.P., presided. The first paper read was a brief one prepared by Mr. BLANCHARD JERROLD ON THE COLONIES AS FOOD STORES FOR GREAT BRITAIN.

Mr. JENKINS remarked that of all questions which might be discussed in England, this of the introduction of food supplies into the United Kingdom, was the most important. Mr. Stuart Mill, as well as others, had shown how important it was that the food supply to the working classes of this country should be varied and cheap, and perhaps those who had read Mr. Mill's work on "Political Economy" would remember how earnestly he argued in favour of the introduction and use of maize from India in this country; and when we saw how successful Raleigh was in introducing the potatoe, and how it became the staple food of the Irish, it was easy to see that great benefit might be conferred on the masses of society by the introduction of other articles of diet (hear, hear). He believed there were several articles of diet which were known as very excellent food, and which it was desirable to introduce into this country. There were plantain, maize, and also cassava. These perhaps might be introduced and utilised. If our present, fast steamers were multiplied, and facilities of transit further increased, they could bring food supplies for England of great value, more than sufficient to feed all England (hear). As to plantains, it was said that of all muscle-producing food, they were the best. Their special introduction was therefore much to be desired. But the English people were fond of old habits in respect to food, and it was most difficult to remove their prejudices against anything new in the

shape of diet. He did, however, consider that of all movements set on foot by philanthropists, the introduction of plantains and other staples of food would be of incalculable service, and prove one of the best economic movements of modern times. He believed a company was about to be formed for a large introduction of Australian meat, which would have an important influence upon the meat supply of England. There was a meeting lately held of colonists who were to try certain samples of meat from Australia, and though the samples then shown were not much to be commended, better had followed. Perhaps some of these days the friends of this Conference would meet together to consider this important subject more fully (hear, hear).

Mr. ABRAHAM said he was at the meeting to which Mr. Jenkins referred, and he distinctly remembered what was said respecting some meat from Australia. If it did come from that Colony it was not the best ("hear," followed by a laugh). Very few gentlemen cared to remain in the room longer than courtesy required (laughter). He believed, however, that recent samples had given the highest satisfaction for the sweetness and richness of their flavour, especially the mutton.

The CHAIRMAN remarked that it would be well if the preserved meats, which were now really very good and free from the least taint, were introduced into our workhouses and other places. They were good and cheap. The royal family ought also to be asked to be patriotic, and there ought not to be a banquet without having meat from all parts of the Empire. We all knew that mutton kept a long time, provided it did not decay, was very good. Why should we, then, not have Australian mutton? There were lately 2,000 sheep sold in Queensland at 5s. a head, and this fact showed the possibility of having mutton from that part of the world. Respecting the mode of preserving it, he thought rewards ought to be offered for improvements in that direction, or for the discovery of means for bringing live stock into England from our Colonies (hear, hear). It would be a great advantage to the Australian steamers, if on their return voyages they could bring back extensive supplies of food, either preserved meats or live stock. Such a trade would be a godsend to the poor, and become a first-class remuneration. The price of meat at our butchers, had greatly risen during the past few years, and it was said that many poor families could not purchase it at the price now offered. They were obliged to live upon fish, and that went up in value in proportion to meat. It would then, as Mr. Jenkins had suggested,



be a work of philanthropy to endeavour to do something in these food supplies from the Colonies (hear, hear). It was believed by most men to be practicable, and therefore it was urged that steps should be taken to increase the interest already felt on the question.

Mr. Youl thought that the last importations of preserved meats from the Colonies had not been fairly brought before the attention of the people of this country. There was some prejudice against the first consignments, and deservedly so, for they were not good, and an Englishman was dainty about his food; but he believed that for tenderness, sweetness, and richness of flavour the last supplies were not to be equalled. Nothing could be better than the cold meat and mutton which Mr. Jones had prepared, and there could be no doubt that an immense supply of food could be obtained from Australia. But in addition to the colonial preserved meats being cheaper and superior in flavour, they were without bone and required no cooking—which was a saving of time and expense not to be overlooked (hear). Respecting the supply of fresh meat, a society was formed for the purpose of encouraging the sale of fresh meat from Australia. It was not successful. But all colonists have said that the theory was perfect, and with more careful attention the required means for making the affair a grand success—and which was, like many other things, but a very small matter—would soon be known. One system was, preserving the meat by a process of freezing. In Canada and all cold countries fresh meat was preserved for long periods and sent great distances. He was much gratified with the remarks of the chairman respecting the granting of rewards to persons who succeeded well in carrying out schemes for increasing our food supplies from the Colonies, whether in the shape of preserved meat or live stock. Such movements for increasing the supply of food required capital. He (Mr. Youl) knew an enterprising man whose exertions were obliged to be stopped because they required money to be successfully carried out.

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#### THE COLONIAL OFFICE: ITS CONSTITUTION AND ADMINISTRATION.

By SIR H. DRUMMOND WOLFF, K.C.M.G.

Last year many of those interested in the Colonies were of opinion that a colonial council resident in London

would strengthen the ties between the Imperial and Colonial Governments. It is useless here to inquire into the reasons which have caused this proposal to be rejected, or, at all events, adjourned. It will be sufficient to ascertain how far the objects of the proposed council may be secured by existing machinery.

Marked features of English administration are the presence of real, and the absence of recognised, system. Of these the gradual change in the organisation of the Colonial Office is a remarkable instance. As often occurs in public departments, the real policy of the Colonial Office has to a great extent resided in the permanent officers. Their influence, though unrecognised, has been powerful. In France we find high-sounding designations given to very inferior offices. In England we find the converse of this proposition. In the Colonial Office, under the somewhat humble title of clerks, those behind the scenes recognise functionaries exercising many of the powers, and often endowed with many of the qualities of statesmen. Perhaps few men have, in reality, exercised more influence on our colonial policy than Sir Henry Taylor. Yet his name is found in the Colonial Office list with those of four other gentlemen designated as senior clerks, and content to exercise most important duties for the most modest hopes of reward. So far is the real status of these gentlemen ignored that the proposal of a Secretary of State to confer on Sir Henry Taylor the designation of Assistant Under-Secretary of State was rejected on technical grounds by the Treasury.

The points to be considered in the organisation of the Colonial Office are :—

1st. The importance of the duties falling on that department since the sudden change, both in the constitution and development of our Colonies.

2nd. The means to be adopted for infusing into our

Colonies a greater confidence in the administration of their interests, as far as those interests are affected by the Colonial Office.

Under the old administration of our Colonies, the term "Colonial Office" was clearly a more fitting designation than at present for the bureau of the Secretary of State. The term of office of the head of the department was longer. The mutations in the histories of Colonies *depended* almost wholly on Downing Street. On the Secretary of State rested, therefore, the *minutiae* almost of local administration; and the duties of his office were discharged by functionaries properly designated as clerks.

But colonial policy no longer centres in one individual. The individual remains, but changes with more rapid alternations than even the changes of home administrations. I find that between the years 1795 and 1852 the number of Secretaries of State for the Colonies was twenty-three. Between the years 1854 and 1870, the period in which the principle of self-government has come into full play, thirteen statesmen have occupied the office. Meanwhile the policies and histories of individual Colonies remain unchanged, or, if changed at all, it is from causes independent of Imperial motives. The succession of Secretaries of State is the succession of men, eminent and distinguished, doubtless, but from the nature of things ignorant of minute colonial histories. To them the functionaries of the Colonial Office are counsellors, or, at all events, reporters. On their counsel or reports, based on long experience and with accumulated information, must depend the policy of the chief. To the clerks in the Colonial Office alone are known the stories of colonial administration, the merits, the objects, the predilections or jealousies of colonial statesmen, and the constitution of parties in the Colonies themselves. The official minute of the old *régime* has imperceptibly glided into the State paper.

In another branch of the State, with which I have also been connected, I have joined in the efforts of those who have to a certain extent successfully combated the theory that a public department was necessarily a great machine, the component parts of which were allowed to have no movements beyond the walls of their particular office.

Nothing, I maintain, can be more disastrous to the public interest. If the members of a public department are thus limited in their ambition, their energies are either impaired or are directed to the absorption of power in their own community to the prejudice of the other branches of the service to which they belong. A public department in England having the *venue* of its functions abroad demands for success the combination of two qualities—local knowledge for details, and generalisation in judgment. With a complete severance of the home and foreign service this combination is impossible, and the results are damaging. The home functionary considers that an instruction can be carried out as easily as it is written. The functionary abroad finds a want of allowance for local difficulties of execution, and a consequent mistrust in the Home Government. On the other hand, the functionary abroad, estranged from his own country, is apt to yield too much to local excitement, and unable, perhaps, to form his judgment on first principles of policy and justice.

In treating this portion of the question allowance will be made for my trenching, for a short space, on another head of discussion—namely, the functions of Colonial Governors. On this subject I confess my leanings to be with those not entirely in favour of a close colonial service.

The benefit to be derived by a Colony from the nomination of a governor from home is the infusion of metropolitan views, both in business matters and social rela-

tions, which are perhaps unattainable in a purely colonial education. A peer or a member of the House of Commons, though not of the foremost class of statesmen, has rubbed shoulders with those statesmen, and is imbued with the traditions, habits, and maxims of an old and very large society. Such qualities are invaluable in a modern colonial governor. He is no longer only the representative of royalty wielding in a distant community despotic powers not conceded to royalty at home. He is a species of ambassador sent to import into a Colony the essence and spirit of institutions which have flourished at home, and invested with attributes which the Colony is glad to give him, in token of an earnest desire to preserve that connection with the old country which is typified by the despatch and reception of this exalted envoy. But he is not on this account a *roi fainéant*. He is bound to assert the rights of the Empire within his jurisdiction, and to perform certain delicate functions necessary to colonial life.

The governor, during his term of office, should be, and often is, tacitly the head of every colonial cabinet. He is probably the only inhabitant of the Colony really devoid of party, or what may be called distinct, feeling. He is neither a trader, an agriculturist, nor a professional man, and therefore occupies the position which is, or ought to be, that of cabinet ministers in this country, viz., that of abstraction from prejudice in favour of any interest, and of being above the suspicion of such prejudice. To this purpose a governor should be the best specimen procurable in the old country of birth, fortune, talents, services, or of a combination of all or any of these qualities.

Without any intention of depreciating those distinguished men who belong to the colonial service, I am convinced that the public interests are often best served by

the selection of governors from other walks of life. The governor should go forth to a contracted from an extended society. If we follow the rule of promotion, he goes to a contracted society from one still more contracted. But, on the other hand, it would be difficult to find men of sufficient ability to take the inferior posts, if such acceptance were to forfeit for them the chance of promotion to wider spheres of activity. A small government should be neither a qualification nor a disqualification for a larger one. The Colonial Office might be made an intermediate region in which to accept the local knowledge of some, and to train others in the qualities of generalisation. It should be a *depôt* and clearing-house for colonial functionaries, adjuncts at home to the minister, as purveyors of practical, colonial experience, and in turn emissaries of the Minister to the Colonies.

To a certain extent the value of such an exchange has been recognised by the recent admirable appointments of a permanent Under-Secretary and Assistant Under-Secretary of State, and by nominations, temporary and otherwise, of clerks in the Colonial Office, to colonial posts.

These cases, however, are few in number, and exceptional. They tend rather to prove the rule, as being in an opposite direction. Except in the case of an Under-Secretary of State, exchange is impossible. The Colonial Office being under the *régime* of the general civil service, no one can enter it but at the bottom of the list.

The Colonial Office as a school has great resources. A man of intelligence, having access to the diversified correspondence in Downing Street, would soon amass, from every quarter of the globe, precedents of general application. Colonists coming to England have been astonished to find the familiarity of the department with the distinguished names and prominent events of their homes.

But, except from the good feeling of the clerks in the

Colonial Office or the colonial officers at home, the acquaintance ends here. There is no official provision for personal association or social sympathy. Nay, socially the colonist in London is less at home in London than a foreigner. The latter has his minister at hand to introduce him into society or to advance his wishes.

A colonist officially has none of these advantages. The Colonial Office should be able to supply this want. It should be made the link, both in its constitution and its duties, to bind British subjects habitually residing at home with their fellow-subjects domiciled in Greater Britain.

The steps to be taken to adapt the Colonial Office to these requirements are neither many nor expensive. The revision of one or two Acts of Parliament and the promulgation of the Order in Council would be sufficient in this country. But the Colonies must also contribute their share. The plan would lose half its utility were not colonists to find their way to desks in Downing Street. While we at home are compassing this object, our friends in the Colonies should devise means for the occasional admission of a home official to some secondary post of importance in their administration, so as to share in a less ornamental capacity the mission of Government House.

There is little more to be said beyond reducing the foregoing suggestions into a practical shape.

The Colonial Office, apart from accountants and copyists, is composed of twenty-four functionaries, exercising in the department responsible duties. They are divided into a hierarchy of three classes, and distributed for work into five divisions. Of these divisions four are geographical and political. The fifth carries on routine duties common to all Colonies.

These departments are respectively placed under a senior clerk specially attached to them. Each Assistant Under-Secretary of State takes two of the departments,



the Permanent Under-Secretary of State presiding over all of them, and reporting to the Parliamentary Under-Secretary and the minister.

In the appointments to the office of Under-Secretary or Assistant Under-Secretary of State the minister is unfettered. The five heads of departments are selected from those who have gone through the junior grades of the office.

I should propose that, retaining the Under-Secretary and their two assistants in the present state, to give them equivalent rank with certain governors.

To the five heads of departments I should assign a distinctive appellation—such as Superintendent or Commissioner—together with specific duties in connection with the Colonies, and higher salaries.

It has already been shown that the duties required of these officers are of a high order. If, therefore, their positions were improved pecuniarily, and in official rank, they might be made convertible with governorships and the higher offices in Colonies. Beyond the duties rendered to the Secretary of State, they should be considered bound to the Colonies in their department, especially with a view to the reception and comfort of colonists visiting England. The extra expense would be very slight, amounting to a very few thousands. It would form but an inconsiderable addition to our own estimates, or, in case of necessity, might be defrayed by a colonial contribution. By this means the Secretary of State would be enabled, as vacancies arose, to profit by the services of a governor or distinguished colonist, who, when his service in London was over, would return to a colonial career reimbued with the feelings of the mother country. Britain and her Colonies, by this constant exchange of thought, and even of prejudice, would become more welded together.

The lower degrees of the Colonial Office might, in a

like manner, be assimilated to officers in the Colonies, and a young man entering the service, whether born in the United Kingdom or the Colonies, would enter on a general colonial career, his mind strengthened and improved by the theories of London and the practice of the Colonies.

To the service the advantage would be great. An officer, on leaving a small dependency, would be enabled to enlarge his mind in London before promotion. Means could be found to enlist the services of governors whose term of office had expired. Colonists would become acquainted with the ruling classes in England, and ministers would have at hand the counsel and advice of the best authorities on questions difficult of solution. Men of ability and station would be found more willing to embrace a career which no longer condemned them to perpetual exile, and the Colonial Office would realise for the colonial-born subject of the Crown that abstract idea of home which the colonist in every quarter of the globe attaches to the old country.

The foregoing suggestions would naturally require amplification if adopted by the ruling powers. The principle involved has, as far as the analogy can be carried, been adopted by the Committee of the House of Commons on the Diplomatic Service. There are certain broad truths which apply to every department of life, and as we find in our private affairs the benefit of extended practical experience, so much the more is that quality required when we deal with the happiness not only of families but of nations.

The foregoing remarks must not be taken as a departure from those views I hold in common with many others as to the expediency of some sort of common council to represent and combine in one form the interests of our divers Colonies. Some are of opinion that an honorary council, composed of pensioned colonial

governors, would achieve the objects desired. Assuredly no scheme could be bad which should utilise for the central administration any larger accumulation of experience. But honorary councils, though sounding well in theory, are rarely of any practical utility. Occasionally they may be useful for advice, but they cannot be called upon for any continuous labour.

The Colonial Office as it stands, with all its shortcomings, is of great practical value to the Colonies. It embodies whatever there is of use to small communities in their connection with the parent State. It supplies advice, experience drawn from unnumbered sources in the old and the new worlds, protection, and, when necessary, a cold and dispassionate justice, unbiassed by any narrow consideration of local excitement. Its defects are from a want of sympathy inseparable from its present constitution. Young men enter the Colonial Office as a profession. They do their duty conscientiously, but they are not colonists, and there is no call from them of any greater love for the Colonies, than on a professional agent for his client, or on a judge for the motions that come before him. Those who see the importance of our colonial interests should have as their chief object the familiarisation to the public mind of colonial objects, names, and forms of thought. Colonies should be taught to regard the Colonial Office not as the residence of cold official formality for the mere transaction of business, but as a favourite resort where they could find a colonial atmosphere, and meet with, in their absence from home, the formal sympathy and friendship springing from old recollections. That this object would be achieved by the establishment of a colonial council there can be no doubt; but in the absence of such a greater scheme that purpose may in part be served by the readjustment of existing materials.

Mr. TOBIN thought that the Colonial Office was very good in theory, but of very little use in practice. Colonists felt that it was no matter what distance they were from Westminster, they were still Englishmen, and expected to be treated as Englishmen; but this had not been the case at all times. He belonged to the oldest Colony—a Colony which contributed £750,000 to Greenwich Hospital—his father was a colonist before him, and so was his grandfather, so that altogether he considered himself a colonist of a hundred and fifty years' standing; he had also served for twenty-six years on the Executive Council; but he was not satisfied with the present system of things. There was room for a great improvement which would have to take place. He thought they ought to be earnest, and if they were, they would deal sharply with the Colonial Office.

Mr. JOSEPH VEREY, from Toronto, was called by the Chairman. The tendency of his remarks, which were somewhat desultory, though interesting and humorous, were to the effect that he was satisfied with the Colonial Office. He had never known, he said, a single instance where an application had been made to the Colonial Government Office, and the person applying had not been courteously received. Indeed, he had found that the Government had let colonists have their own way—almost too much so; so that he had not a word to say against the Colonial Office.

Mr. ABRAHAM thought that some of the complaints against the Colonial Office might be removed if gentlemen who were to take office in relation to the Colonies first visited the various parts of the Empire. He was happy to say that when he was in New Zealand he met a gentleman who had come out to the Colony on purpose to obtain practical information, and mature his views upon subjects connected with the Colonies. This gentleman expected to hold office in England, and was therefore pursuing a right course for making himself efficient in the discharge of his duties.

Mr. JOHN F. VESEY-FITZGERALD attached great importance to the desirability of having a Colonial Council of Advice in London, a subject which had been already mentioned by his brother at this Conference. He was convinced that if something of this kind had been adopted years ago, much misunderstanding and mischief would have been avoided. He had pointed this out a few years back. One or two of our Colonies were nearly driven into revolt by having convicts thrown upon them. The difficulty had been got over: but if it was desirable to preserve a friendly feeling, it would be well to form a council of colonial gentlemen of experience to aid

the Colonial Office. No Colony of importance would be neglected, and local knowledge would be brought to bear upon and influence the home authorities. The gentlemen who might form this council, besides being practical men, should possess the confidence of the Colony they represented. Why, he would ask, could not this be done? Why could not the Secretary of State for the Colonies ask colonial governors to select a few gentlemen to form such an advisory council? Sir Drummond had referred to another subject upon which a little might be said—viz., the social and almost isolated position in which a colonist found himself on arriving in the mother country. He (Mr. Vesey-Fitzgerald) thought that if a diplomatic minister was created, it would be well; because amongst other things, the present awkward working of colonial feeling in England might be directed. We had colonial agents, and well they did their work, but he would go further, and have a diplomatic minister. There was another great object he saw in having an advisory council, and that was, should any unfortunate difficulty ever arise between a Colony and the mother-country, colonists would blame the council, and not the Imperial Government.

Mr. WATTS did not like the notion of a diplomatic minister. Such an office would savour of foreign officialism, and it was desirable to draw closer than otherwise the union between the mother-country and the Colonies.

Mr. ARCHER said although he had a great deal to do with the Colonial Office, he could say that he was only surprised at the exceeding kindness he invariably received. As a Queensland man he had always been well received, and therefore he was not in a position to find any fault with the Colonial Office. His experience was as *nil* for giving any advice as to that department, and as a colonist he agreed with the Canadian gentleman who had spoken to-night. He, with Mr. Vezey, had a great love for England (hear, hear), and he could say that the colonists of Queensland had never asked for anything, and not had their wishes granted.

Mr. R. N. FOWLER, M.P., was sorry that he had not been in time to hear the whole of Sir Drummond Wolf's paper. He (Mr. Fowler) understood that one of the subjects alluded to was the desirability of a great change in the constitution and administration of the Colonial Office. Now if they carried their memories back thirty years, they would find that colonial affairs were attended to by two statesmen, both of whom could be placed in the first rank as ministers of the Crown. Lord Grey was at the head of colonial business when the Liberals were in power, and Lord

Derby stood in the same position when the Conservatives were in office. That period came to an end in 1852, and since then we had had thirteen or fourteen Colonial Secretaries (hear, hear). Of course they all knew that there must be occasional changes in a constitutional country like ours; but what colonists and Englishmen had a right to expect was, that if constant changes were to take place, as of late years, there should be some men who had paid particular attention to colonial questions, and who might be in the position, if called upon to take office, to bring with them practical knowledge into the department. We had in the Colonial Office perpetual changes; not merely the changes incident to the formation of a new cabinet, or a minister losing his health—an occurrence which sometimes involved a complete change of office amongst members of the Cabinet—but in all reconstitutions of a ministry, the head of the Colonial Office was the first to suffer from disarrangement, yet to his mind—and the deliberations of this Conference justified the remark—there was no appointment next to that of the Prime Minister more worthy the ambition of a man to fill, than Colonial Secretary of this great Empire. Truly, when we looked at the greatness of our Empire, the number of our Colonies, the vastness of their area, the value of their productions, and the rapidity with which they are becoming populated, we could not but think that the man who presided at the head of our Colonial Office occupied a position inferior to no other (hear, hear). He hoped that those who occupied a high position in the confidence of their sovereign, would magnify that office and make colonial affairs their study, for there was certainly an awakened feeling spreading over the minds of Englishmen upon matters pertaining to our Colonial Empire. We were beginning to take pride in its vast resources. Many of us, too, had an interest in the Colonies, having property, friends, or relatives there. We knew more about our possessions abroad than formerly, and when it was suggested to our minds that England was a small island, we pointed to Colonies, some of which surpassed in importance, two, or even three, European kingdoms of influence when put together (hear).

Mr. EDWARD JENKINS said on this subject he only rose to thank Sir Drummond Wolff for the admirable paper he had read. With respect to what had been said by Mr. Vesey-Fitzgerald and others, it seemed to him that although any change whatever in the constitution of the Colonial Office would be better than its present condition, there had not yet been any change suggested which would work out a plan which would be in unison with the general

march and progress of the Empire. The proposition which had been thrown out with reference to a council of advice appeared to him to be one far more cumbrous and less practical in its working than those they too well knew of. Supposing that we had a council of advice, which was constituted as suggested, formed of colonial governors, or those selected by them, they would not be responsible to any constituents, and if constituents could not bring a man to book for anything he had done, what check was there upon his conduct? There would be no responsibility, and therefore the representation would be fallacious. To the people of the Colonies it would be found in the first place difficult to make a man forming one of such council responsible to them, and in the second place, they would be likely to repudiate what was done by him. The paper read had informed them that the Colonial Office was composed of forty-four functionaries, who were divided into three departments. Of these, the Colonial Secretary presided over one, and the two Assistant-Secretaries over the other two in directing the vast affairs of our Colonial Empire. This and other statements which Sir Drummond had given would throw some light upon the constitution of the Colonial Office, and he (Mr. Jenkins) hoped that Sir Drummond, if these proceedings were published, would allow the committee to place his paper amongst them, and thus permit it to have its effect upon the people of England. As the Conference was drawing to a close, he would throw out one or two suggestions. He thought we in England had done our part, and he hoped that colonists, seeing the spirit exhibited in England, would aid in forwarding the movement for an improvement in our relations. What we felt in England was this, we were not yet thoroughly of one accord with the Colonies themselves. We knew they were uneasy, but we had never been able to find out all their grievances. Then, what did we want? We desired to get at the public feeling of colonists on those questions we had discussed. We wanted to know if something could be done to remove that which was unsatisfactory. He believed if colonists would discuss these things among themselves, and would prepare any feasible scheme, and present it to us, they would be heard by the people of England, and a desire would be shown to have all grievances redressed. But at present the position of Englishmen at home was this, whilst on one hand they heard of complaints from the Colonies, on the other these complaints were never put into a definite shape. His suggestion was, that if possible they should get up a fund of some sort in England, select a certain number of gentlemen who would



have the confidence of colonists, and thus, with perhaps the Duke of Manchester at their head, form a standing council on colonial subjects (applause). If some of these gentlemen would go out to the Colonies, and ascertain what colonists wanted, it would place the question in a better position. If colonists were then found to say, for example, that our statesmen did not fairly represent colonial feeling, when they spoke of the Colonies desiring to separate from the mother-country; if also such gentlemen had reason to say to colonists abroad, that when our statesmen invited them to leave us, they were not speaking the sentiments of the English people—then great benefit might accrue; and that practical good would come from the formation of a council of gentlemen in London on colonial subjects (hear, hear, and applause). With respect to the Conference now drawing to a close, the sittings had, on the whole, been of a satisfactory character, and enlarged views had been obtained upon colonial subjects, so that most who had attended would not regret that the Conference had been held.

Mr. SEDGWICK COWPER, a native of Australia, said that although he was rather out of place now, he should like to say that he regretted to hear in the Conference an expression of opinion that the Colonial Office did not do its duty. There was nothing perfect on earth; but he failed to see that the Colonies were in such an extreme state of anxiety to have matters improved in the Colonial Office. There might be improvements made in the course of time. The natural growth of institutions rendered such improvements or changes necessary; but, he would repeat, as a colonist he failed to see that the present constitution of the Colonial Office was inefficient. Neither could he see how they would get on with cumbersome machinery, such, for instance, as an advisory council in connection with the Colonial Office. He was anxious to say this, because he thought if he remained silent, such silence might be regarded as an assent to what had been advanced by one or two gentlemen respecting a council of advice.

Sir DRUMMOND WOLFF said with reference to what had been advanced by the hon. gentleman who had just spoken, he had not expressed in his paper any desire for a council of advice on colonial questions in connection with the Colonial Office. He was, however, strongly in favour of a federal council of some kind, consisting of representatives sent from the Colonies, who thus would feel themselves responsible to those by whom they had been chosen and sent.

## CLOSING PROCEEDINGS.

Mr. FREELAND rose, and after referring to the interest which he, and no doubt others, felt in the proceedings of the Conference throughout its sittings, expressed a hope that some permanency might be given to what had been so auspiciously begun (loud applause). He moved, "That the success which has attended the present Conference on colonial questions, renders it desirable that frequent discussions on colonial subjects should take place, and for that purpose it is desirable that the papers read at this Conference and the discussions upon them, be printed and circulated as widely as possible." He hoped that there might be frequent discussion on colonial questions, but he would be sorry if politics were excluded. Men had a right to hold opinions if they were sincere (hear, hear), and he cared not whether a man was a Whig or a Tory, if he spoke from conviction. What was desirable was to get men together and discuss questions of interest, and not be afraid of the bugbear of party politics (hear).

Mr. R. N. FOWLER, M.P., seconded the motion, which was carried by acclamation.

Mr. WHALLEY, M.P., said in order to have frequent opportunity for gentlemen meeting together to discuss colonial questions he would move "That the present executive committee be requested to continue their labours, with power to add to their number."

This was seconded by Mr. F. W. CHESSON, and also carried by acclamation.

On the motion of Mr. HANCOCK, seconded by Mr.

WHALLEY, thanks were awarded to the chairmen of the sittings, the gentlemen who had read papers, and to the committee and honorary officers who had worked so hard and successfully in connection with the Conference.

The Executive Committee consists of—Mr. F. W. CHESSON; Mr. EDWARD JENKINS, *Chairman*; Mr. F. P. LABILLIÈRE, *Hon. Sec.*; Captain BEDFORD PIM, R.N.; Mr. McCULLAGH TORRENS, M.P.; and Mr. FREDERICK YOUNG; with power to add to the number.

Communications may be addressed to Mr. LABILLIÈRE, 5, Pump Court, Temple.

## INDEX.

Abraham, Augustus B., on the *Satisfactory Settlement of the Colonial Waste Land Question*, in 1855, and its Effect on the Imperial Dominion, 141; statement of different views, 141; new constitutions, 142; control of Imperial Legislature, 143; Mr. Gladstone on giving Colonies control of lands, 143; hostile questioning of colonial rights, 144; Mr. Jenkins in *Contemporary Review*, 145; Mr. Macfie on colonial questions, 146; on federation, 147; due consideration, 148; Lord Stanley's Act, 5 & 6 Vict. c. 36, 18 & 19 Vict. c. 56, 15 & 16 Vict. c. 86, 148; three periods in history of question, 149; Wakefield principle in South Australia, 149; Mr. Lowe's resolutions, 149; Lord J. Russell's Bills, 150; debates, 150; Mr. Roebuck's suggestions, 150; proposed repeal of Lord Stanley's Act, 151; committee of Privy Council, 151; action of the New South Wales Legislature, 152; control of lands given to New Zealand, Canada, &c., 155; Sir J. Pakington's despatch, 155; Imperial Dominion, 156; rights classified, 157; 1st, those of sovereign, 157; ties of race, 158; Mr. Merivale, 158; separation, 159; 2nd, rights resulting

from tenure, 159; acquisition of land from aborigines, 160; purchases from them in Australia and New Zealand, 160; 3rd, Imperial interests resulting from legislation, 162; Mr. Gladstone, 163; Privy Council report, 163; 24 Geo. III. c. 56; order in Council, 1785, 27 Geo. III. c. 2, 164; waste land question not Imperial, 165; 4th, trust resulting from expenditure, 166; are Colonists to have management of their local concerns? 168; *Remarks on Colonies as Food Stores for Great Britain*, 181; Australian meat, 181; *Remarks on Colonial Office*, 192; officials visiting Colonies, 192.

Africa, South, field for emigrants, 107, 117.

Airlie, The Earl of, *Remarks on Imperial and Colonial Federalism*, 83; difficulties, 84; England's Continental obligations, 84; *Remarks on Emigration*, 106; State emigration and assisted emigration, 106; United States Homestead Act, 107; work in Canada, 107.

Amos, Professor Sheldon, *On Colonies and Colonial Governments*, 37; no history of colonial politics, 37; policy of England, 37; seven epochs in her relationship with Colo-

- nies, 38; definition of a Colony, 41; great variety of British Colonies, 41; indirect influence of mother-country over Colony, 42; indestructible elements in Colonies of union with parent State, 43; dispersiveness of early colonial efforts, 43; unrestricted suffrage, 44; influence of Great Britain with Colonies as to commercial policy, and treatment of aborigines, 45; Polynesians and Coolies, 45; effect of inter-colonial confederation, 46; practical principles for constitution of colonial government, 47; influence of mother-country, 47; appointment of governors, 47; veto, 47; judicial appeals, 47; federal scheme, 48; local and Imperial questions, 48; colonial problem ever new, 49.
- Appeals. *See* Court of.
- Archer, A., agent-general for Queensland, *Remarks on Coloured Labour*, 139; precautions in Queensland to protect Polynesians, 139; laws same as for whites, 139; Polynesians make their own terms, 140; money in savings-banks, 140; proportion of sexes, 140; *Remarks on Colonial Office*, 193; his experience of it, 193.
- Australia, growth of, compared with the United States, 81, 90, 91.
- , field for emigration, 117.
- , constitutions debated in England for, 150.
- Beaumont, J., *Remarks on Coloured Labour*, 139; white labour in West Indies, 139; improvement of blacks, 139; imports to British Guiana, 139; Coolies, 139; his pamphlet on Demerara quoted, 126.
- Brougham, Lord, quoted on English conveyancing, 54, 56.
- Burke, Constantine, *Remarks on Coloured Labour in British Colonies*, 135; labour in West Indian Colonies, 136; cultivated area of Jamaica, 136; Coolies there, 136; white labour in West Indies, 139.
- Cairns, Lord, description of English conveyancing quoted, 54.
- Canada, emigration as seen in. *See* Herring, Rev. Styleman.
- , danger from, 13.
- , work in, 107, 115.
- , control of lands granted to, 155.
- , reception of emigrants in, 173.
- Capital, effect of concentration of, on labour, 98.
- sent out of country, 105.
- Carlyle, Thomas, cited on advantages of emigration, 5.
- Cerberus, The*, 15, 16, 81.
- Chesson, F. W., on *Coloured Labour in British Colonies*, 120; inter-dependence of races, 120; disregard of moral obligations, 121; slavery repudiated, 122; Coolies in Colonies, 123; policy of Natal, 123; Coolies in Demerara, 123; labour contracts, 124; political power in Demerara, 124; one-sided laws, 125; Mr. Beaumont's pamphlet, 126; immigration agent-general, 126; Abuses, 127; Commissioner's report, 124, 125, 126, 127, 128; re-indenture, 127; Mr. Jenkins's testimony, 128; right of Imperial Government to interfere with introduction of Polynesians into Queensland, 129; Queensland entitled to have them, subject to two limitations, 130; responsibility of Queens-

- land, 130; reputation of Imperial Government, 130; regulations of Queensland Government, 132; evidence of malpractices, 132; Captain Palmer's statement, 133; new regulations of Queensland Government, 133; policy of chief secretary of the Colony, 134; solution of native labour question, 134; *In Reply*, 140; labour in brickfields, 140; Polynesians in Queensland, 141; removed from islands, 141; seconds motion, 197.
- Clarke, Edward, *On Emigration*, 93; present aspect of question, 94; State emigration, 95; per-centage of paupers, 96; causes of poverty, 96; use of machinery, 97; concentration of capital, 98; restriction on increase of population, 98; co-operative labour, 99; emigration restricted to Colonies, 99; emigrants not merely labourers, 99; Mr. Gladstone on destination of emigrants, 99; diminishing numbers here and increasing markets for produce, 101; expatriation, 101; benefit to England and Colonies, 102; objections to State emigration, 102; interest of employers, 103; men want to go, 103; economical advantage, 104; objection of Mr. Hume, 104; surplus labour unproductive, 104; expense of State emigration, 104; poor-rates, 105; paupers, 105; capital also sent out, 105; *In Reply*, 119; duty of Governments to arrange plan of emigration, 119.
- Clinton, Col. Henry, *Remarks on Imperial and Colonial Federalism*, 86; representation of Colonies in Parliament, 86.
- Colonial Institute excluding politics, 31, 36.
- Colonial Office, its constitution, &c. *See* Wolff, Sir H. D.
- , points in organization of, 183.
- , giving Colonies confidence in, 183.
- Secretaries of State and subordinates, 184; efficiency and value of, 191, 192, 195, 196; composition of, 188, 195.
- interchange of officials with Colonies, 188, 190, 192.
- questions, growth of, 2, 73.
- , interest in, 31, 35.
- , ignorance of, 32.
- , discussion of, in Colonies, 195; frequent discussion of, desirable, 197.
- Colonies, advantage of having, 24, 25, 29; leaving alone, 35.
- Coloured labour. *See* Chesson, F. W.
- Commercial relations. *See* Tariffs.
- Confederation. *See* Federation.
- Conference, The, notice of subjects, 7, 8, 9, 10; benefits from, 31, 197; expression of different views, 33, 141; its only policy, 74; success of, 196, 197; suitability of land transfer question, 69, 70.
- Contemporary Review* referred to, 78, 145, 171.
- Conveyancing, English, 53.
- Coolies, 45, 50, 123, 136, 138, 139.
- Council, Imperial and Colonial, of Advice, 50, 76, 83, 85, 87, 91, 190, 192, 195, 196.
- Court of Appeal, 47, 52, 82.
- Cowper, Sedgwick, *Remarks on the Colonial Office*, 196; office efficient, 196; advisory council, 196.
- Crime against civilisation and humanity, 29.

- Davis, N. Darnell, Remarks on *Methods of Land Transfer*, 70; description of system in British Guiana, 70; subject fit for Conference, 70; grievance mongering, 70.
- Defences, military, 11.  
 —, naval, 14.  
 —, under Confederation, 18, 36, 80, 85; withdrawal of British troops, 86.
- Definition of a Colony, 41.
- Demerara, Coolies in, 123, 138, 139.  
 —, political power in, 124; Mr. Beaumont's pamphlet, 126.  
 —, Commissioners' report, 124, 125, 126, 127, 128; Mr. Jenkins's testimony, 128.
- Dependencies, 21, 22, 23.
- Diplomatic body from Colonies, 87, 193. *See* Council, &c.
- Dispersiveness of colonial efforts, 43.
- Dominium, Imperial, 156.  
 —, rights under, classified, 157.
- Eddy, C. W., cited on trade following flag, 25.
- Emigration. *See* Clarke, Ed.  
 —, facilities for. *See* Torrens McCullagh.  
 —, advantages of, 4, 51, 102, 104.  
 —, Thos. Carlyle on advantages of, 5.  
 —, ragged-school children, 30, 31, 33, 35.  
 —, lands set apart for, 50.  
 —, promoted by State, 95, 102, 104, 106, 116, 118, 119.  
 —, restricted to Colonies, 99.  
 —, interests of employers and men, 103.  
 —, assisted, 106.  
 —, fitness of emigrants, 107, 113, 116, 119.
- Emigration, paupers, 109, 116, 118.  
 —, obstacles to, 110.  
 —, cost of, how to be borne, 111, 117.  
 —, of families, 111.  
 —, from 1848 to 1854, and since 1855, 114.  
 —, uniform rate of postage, 117.  
 —, distribution of emigrants, 119.  
 —, Commissioners' report of, 107, 113.
- Empire. *See* Unity of.  
 —, area and growth of, and of United States, 81, 90, 91, 113.
- England, greatness of, 33.  
 —, her Colonial policy, 37.  
 —, her Foreign policy, 78, 84, 92.  
 —, her duty, honour, and interests, 79.  
 —, her position in federation, 79.  
 —, interference with Colonies. *See* Veto.
- Executive, Imperial, 77.
- Experiments tested in Colonies, 53.
- Federalism, Colonial and Imperial. *See* Labillière, F. P.
- Federation, 27, 48, 72, 84, 85, 86, 88, 89, 90, 196.  
 —, intercolonial, 46, 82.  
 —, forms of, 74, 89, 91.  
 —, success of, and obstacles, 74, 77, 82.  
 —, effect of, upon England's Continental obligations, 78, 84, 92.  
 —, position of England in, 79.  
 —, effect of, on her and Colonies, 81, 91.  
 —, development of, 83, 92.  
 —, difficulties, 84, 91.  
 —, concessions, 88, 92.



Fitzgerald, John F. Vesey, *Remarks on Colonial Office*, 192; Council of Advice, 192; social position of Colonists in England, 193; diplomatic minister, 193.

Fitzgerald, W. T. Vesey, *Remarks on Colonies and Colonial Governments*, 49; surrender of lands to Colonies, 49; Colonial Court of Privy Council, 50; *Remarks on Imperial and Colonial Federation*, 85; Adam Smith and Goldwin Smith on dependencies, 85; growth of federation, 85; Council of Advice, 85; *Remarks on Colonial Waste Land Question*, 169; history of question showed need of better defined relations, 169.

Food, Colonies food stores, 180.  
—, variety of, 180.

—, Australian meat, 181.

Fowler, R.N., M.P., *Remarks on Colonial Office*, 193; attention of Lords Grey and Derby to Colonies, 194; statesmen paying particular attention to colonial affairs, 194; change of ministers, 194; Colonial Minister next to Prime Minister, 194; seconds motion at close of Conference, 197.

Freeland, H. W., *Remarks on Simple Methods of Land Transfer*, 68; title and transfer, 68; prejudice of lawyers, 68; old incumbrances, 69; disclosure of borrowing transactions, 69; probable benefits to this country, 69; motion at close of Conference, 197.

Free trade. *See* Tariffs.

Germany, her union referred to, 72, 79, 92.

Gladstone, Right Hon. W. E., quoted, on restriction of emigration to Colonies, 99.

Gladstone, Right Hon. W. E., on control of lands in Colonies, 143.

— on operation of English law in Colonies, 163.

Government, Colonies and Colonial. *See* Amos, Professor.

—, self - government unconditionally granted to Colonies, 18.

—, principles for constitution of Colonial Government, 47.

—, self-, and control of lands in Colonies, 143, 171.

Governors, 47, 52, 82, 185.

—, Under-Secretaries for Colonies ranking as, 189.

Guiana, British, land transfer system of, 70, 71; imports to, 139. *See* Demerara.

Guthrie, Rev. Dr., seconds vote of thanks to Mr. Jenkins, 30; ragged-school children as emigrants, 30, 33.

Hancock, J., moves vote of thanks at close of Conference, 197.

Herring, Rev. A. Styleman, on *Emigration as seen in Canada*, 172; Clerkenwell Emigration Club, 172; voyage across the Atlantic, 173; reception of immigrants, 173; employment, 174; emigrants in Ontario, 174; free grants, 175; closing of grog-shops on Sunday, 175; food, fruit, and vegetables, 176; militia, 176; holidays, 176; labour, wages, 177; provisions and rent, 177; an illustration, 178; Ontario and Quebec, 178; advice, 178; government, 178; newspapers, 179; help for the poor, 179; utilising useless ships, 179; faith and traditions, 180.

Hume, Joseph, objection of, to State emigration referred to, 104.

Imperial and Local. *See* Questions.

India, as to Imperial federation, 92.

Interchange of officials between Colonial Office and Colonies, 188, 190, 192.

Italy, her union instanced, 72, 92.

Jamaica, cultivated area of, 136; population to square mile, 137.

Jenkins, Edward, *Inaugural Address*, 2; Colonial questions growing in importance and interest, 2; unity of Empire generally desired, 3; its advocates deserve generous hearing, 3; advantages of emigration, 4; increase of population and cost of pauperism in England, 4; arguments of Mr. Goldwin Smith, 5; Mr. Thomas Carlyle on advantages of emigration, 5; notice of subjects to be discussed, 7, 8, 9, 10; military organisation, 11; Sir George Cornwall Lewis's view of dependencies, 13; relation of territories to United States, 13; Mr. Goldwin Smith on danger from Canada, 13; naval organisation, 14; vacillation in policy—the *Cerberus*, 15; voice of Colonies on questions of peace and war, 12, 15; commercial relations, 16; protection and free trade, 17; cost of defences under a Confederation, 18; unconditional grant of self-government to Colonies, 18; remarks of the *Times*, 18, 20; dependencies, 21; views of Adam Smith, Sir G. Cornwall Lewis and Mr. Goldwin Smith, 22, 23; Mr. Hermer Merivale on the advantages of Colonising to a nation, 24; trade follows the flag,

25; Sir G. Cornwall Lewis and Prof. Goldwin Smith's doubts, 25; Mr. Merivale's opinion, 25; Adam Smith on Colonies being a weakness to parent State, 25; his plan of alliance with the United States, 27; confederation, 27; our unity must never be broken, 28; a crime against civilisation and humanity, 29; *Remarks on Colonies and Colonial Governments*, 52; control of waste lands, 52; appointment of governors, 52; debates in Canadian Legislature, 52; veto of Home Government, 52; judicial appeals, 52; *Remarks on Imperial and Colonial Federalism*, 88; could only show conditions of federalism, 88; present relations could not long subsist, 88; English Parliament and Colonies must make concessions, 88; two methods of federation, 89; the American Union, 89; Pennsylvania and secession, 89; real federal union, 89; invoke principle of unity of race, 89; *Remarks on Emigration*, 118; poor-law and State emigration, 118; *Remarks on Colonial Waste Land Question*, 169; Dominium, 169; Colony disregarding interests of Empire, 169; tenure in United States, 170; *Remarks on Colonies as Food Stores for Great Britain*, 180; Mr. Stuart Mill on variety of food, 180; new articles of diet, 180; plantains, 180; Australian meat, 181; *Remarks on Colonial Office*, 194; change in office, 194; Council of Advice, 195; responsibility of, 195; composition of office, 195; discussion in Colonies, 195; deputation to them, 196; Council on colonial subjects, 196;

- result of Conference, 196; quoted on Demerara labour question, 128; from article in *Contemporary*, 145.
- Jones, Archdeacon, *Remarks on Coloured Labour*, 138; accusations against Demerara, 138; treatment of Coolies, 138; white labour in West Indies, 138.
- Jones, Mr., preserved meat, 182.
- Labillière, Francis Peter, on *Imperial and Colonial Federalism*, 72; can only notice a few leading features of question, 72; progress and tendencies favouring federalism, 72; ripe for discussion, 73; rapid growth of colonial questions, 73; unity of Empire only policy of Conference, 74; two systems of confederation, 74; an Imperial Confederate Parliament, 74; election of, by people or provincial legislatures, 75; advantages of both systems, 75; an Imperial Upper House, 76; Council proposed by Mr. Macfie, 76; an Imperial Executive, 77; number of members of the Parliament, 77; why should confederation not succeed? 77; is distance an obstacle? 77; effect of federation on Great Britain, 77; the English Parliament, 77; representation of Colonies in it, 77; local and Imperial questions, 78; England's Continental obligations, 78; her duty, honour, and interest, 79; her preponderating position in the Imperial Confederation, 79; Imperial questions, 80; Colonies entitled to voice in them, 80; neutrality of Colonies, 80; Imperial defences jointly maintained at least

- cost, 80; Colonies and England greater confederated, 81; resolve to succeed, 82; inter-colonial confederations, 82; governors, 82; fiscal policy, 82; Imperial Court of Appeal, 82; progressive development of confederation, 83; Council of Empire, 83; time to begin foundation, 83; pressure of bonds of unity, 83; *In Reply*; considerations of importance to Colonies, 91; forms of federation, 91; India, 92; England's Continental responsibilities, 92; concessions by English Parliament, 92; Germany and Italy, 92; *Remarks on Emigration*, 119; overstocking labour markets, 119; *Remarks on Colonial Waste Land Question*, 170; use of discussing question of control of lands, 170; could Imperial Government have managed them? 170; self-government, 171; question, local, 171.
- Labour, want of, in Colonies, 35, 117.
- , co-operative, 99. *See* West Indies.
- , surplus, 104.
- contracts with coloured people, 124.
- in English brickfields, 135, 140.
- Land. *See* Waste lands.
- , simple methods of transfer of. *See* Torrens, R. R.; also 68, 69, 70, 71.
- Lawson, Mr., *Remarks on Colonial Waste Land Question*, 170.
- Lewis, Sir Geo. Cornwall, cited on dependencies, 13, 22; trade following flag, 25.
- Local and Imperial. *See* Questions.
- Lowe, Right Hon. Robert, resolution proposed by, in New South Wales, 149.

- Macfie, R. A., M.P., his proposed Imperial Council referred to, 76; *Remarks on Emigration*, 107; discriminating as to fitness of emigrants, 107; jealousy of Colonies, 107; report of Emigration Commissioners, 107; money for sale of waste lands, 108; *Chairman*, 180; *Remarks on Colonies as Food Stores*, 180; preserved meat, 181; rewards for improvement in means of preserving, 181; pamphlet on colonial questions referred to, 76, 146.
- Machinery, effect of, on labour, 97, 105.
- Manchester, The Duke of, presides at conversazione, 1; replies to vote of thanks, 36; advocates a closer union, 36; sanction of Colonies to war, 36; their taking part in defence, 36; presides, 72, 93.
- Merivale, Herman, cited, advantages of colonising, 24; trade following flag, 25; link of sovereignty, 158.
- Military organisation. *See* Defences.
- Mill, J. Stuart, quoted on variety of food, 180.
- Morrison, Walter, M.P., chairman at morning sitting, third day, 120.
- Mother country, affection for, 32.
- , influence of, 42, 45.
- , reputation, 130.
- Naval organisation. *See* Defences.
- Neutrality of Colonies, 80.
- New constitutions, 142.
- New Zealand importing foreigners, 115.
- , control of lands granted to, 155.
- Nicholson, Sir Charles, Bart., seconds *Vote of thanks to Duke of Manchester*, 34; apathy about colonial relations, 35; Colonies to be left alone, 35; waste lands placed at disposal of Colonies, 35; labour, great want of, in Colonies, 35; ragged-school children, 35; *Remarks on Facilities for Emigration*, 117; desire of Australia for emigrants, 117; opening in South Africa and Natal, 117; neglect of Imperial Government, 118.
- Ontario, emigrants to, 174.
- , advantages of, 178.
- Orders in Council, 164, 170.
- Pakington, Sir John, despatch of, on control of lands, 155.
- Parliament of England, provincial, 78, 87.
- , representation of Colonies in, 77, 86.
- , position as to federation, 78, 84, 85, 87.
- , mistakes of, 85.
- for Empire, modes of election, 74, 75.
- , Imperial Upper House, 76.
- , number of members, 77.
- Parliamentary trains, principle of, applied to emigration, 113.
- Pauperism, cost of, 4, 105.
- , existence and causes of, 96.
- , emigration of paupers, 109, 111, 116, 118.
- , prevention, 110.
- Peace and war, voice of Colonies in, 12, 15, 36, 80.
- Pennsylvania and secession, 89.
- Pim, Captain Bedford, R.N., *Remarks on Coloured Labour*, 136; two classes of emigrants from England, 136; where they had best go, 137; white la-

- hour in tropics, 137; demand for labour in West Indies, 137; population to square mile, 137; line-of-battle ships to convey emigrants, 138.
- Plantains, value of, as food, 180.
- Polynesians, 45, 50, 129, 139, 140, 141.
- Population, increase of, in England, 4.
- , increase of, in British Empire and United States compared, 81, 90.
- of United States, 90.
- , restriction on increase of, 98.
- , excess of, 109.
- Potter, George, *Remarks on Emigration*, 108; subject in hearts of people, 108; uniform rate of passage, 108; emigration to United States, 108; "spare hands to waste lands," 108.
- Poverty. *See* Pauperism.
- Preserved meat, 180, 181, 182.
- , reward for improved mode of preservation, 181, 182.
- , quality of, 182.
- by Mr. Jones, 182.
- Protection. *See* Tariffs.
- Queensland, Polynesians in, 129, 130, 131, 132, 133, 134, 135, 139, 140, 141.
- Questions, Imperial and local, 48, 78.
- , Imperial, voice of Colonies in, 12, 15, 36, 80.
- , waste-land, local, 165, 168, 171.
- Ragged-school children as emigrants, 30, 31, 33, 35.
- Roebuck's, Mr., suggestion as to waste lands quoted, 150.
- Russell, Lord John, Australian constitutions proposed by, 150.
- Saunders, Trelawny, *Remarks on Imperial and Colonial Federation*, 84; difficulties, 84; the English Parliament, 84; greatness of British confederation, 84; comprehensive view of question, 84; defences, 85.
- Secretaries of State for Colonies, number of, 184; importance of position, 194.
- Shaftesbury, The Earl of, presides at meeting on *Colonies and Colonial Governments*, and expresses desire for closer union of Colonies with England, 37; presides at meeting on *Simple Methods of Land Transfer*, 53.
- Ships for emigrants, 114, 117, 138, 179.
- Smith, Adam, cited on dependencies, 22, 85; on Colonies a weakness to parent State, 25; plan of alliance with United States, 27.
- Smith, Goldwin, cited, argument on emigration, 5; danger from Canada, 13; on dependencies, 22, 85; trade following flag, 25.
- Social position of Colonists in England, 188, 193.
- Stanley's, Lord, Act, 5 & 6 Vict. c. 36, 148, 151.
- Statesmen, English, devoting themselves to colonial affairs, 194.
- Statutes cited—24 Geo. III. c. 56, and 27, c. 2, 164; 5 & 6 Vict. c. 36, 15 & 16, c. 86, and 18 & 19, c. 56, 148.
- Strangways, Hon. Mr., *Remarks on Mr. Jenkins's Address*, 31; interest in colonial questions, 31; ragged-school children, 31; good must result from Conference, 31; Colonies want to be let alone, 32; ignorance and indifference about them, 32; affection for mother country, 32; greatness of England, 32; *Remarks on Imperial and Colonial Fede-*

- ralism*, 91; would confederation benefit Colonies, 91.
- Suffrage, universal, 44, 51.
- Tariffs, 16, 45, 82.
- Tasmania, importing foreigners, 115.
- Taylor's, Sir Henry, influence on colonial policy, 183.
- Technical education and emigration, 116.
- Territories, relation of, to the United States, 13.
- for emigrants, 110.
- Times*, *The*, cited on unconditional grant of self-government to Colonies, 18; veto by England, 20.
- Tobin, J., *Remarks on Colonies and Colonial Governments*, 52; Crown lands, 52; he hoped Conference was in earnest, 53; Colonial Office, 53; *Remarks on Colonial Office*, 192.
- Torrens, R. R., M.P., *Remarks on Colonies and Colonial Governments*, 51; control of waste lands, 51; effect of universal suffrage, 51; setting aside land to encourage emigration, 51; emigration beneficial to Australia, 51; on *Simple Methods of Land Transfer*, 53; benefit of experiments tested in Colonies, 53; injurious results of artificial conveyancing, 54; condemned by Lord Brougham, 54; described by Lord Cairns, 54; aphorism of Lord Brougham, 56; essentials in reform of law of transfer, 56; registration of land—first steps, 57; notices, 58; caveats, 58; certificates of title, 58; jurisdiction of courts, 58; the record book, 59; change of ownership, 59; recording declaration bringing land under Act, 59; memorial of transfer, &c., 59; recording by fraud, 60; forms of contract, 60; covenants, 60; heirs, executors, &c., included, 60; concurrence of interested parties, 60; delineation, 60; execution of instruments, 61; effect of instruments of contract, 61; entry on record, 61; priority, 61; leases, 62; cost, 62; charges—mortgages, 62; release and transfer of charges, 63; cost, 64; entails, 64; trusts, 65; cost, 65; voluminous indexes avoided, 66; system, metropolitan, 66; its advantages, 67; saving of nineteen shillings in pound, 67; progress of system in Colonies, 67; *In Reply*, 71; his figures correct, 71; delay in system of British Guiana, 71; publicity, 71; *Remarks on Imperial and Colonial Federalism*, 85; difficulty with English Parliament, 85; its mistakes through ignorance, 85; defence, 86; withdrawal of British troops, 86; *Remarks on Emigration*, 109; excess of population like excess of blood, 109; men sent from south to north of England, 109; sending paupers to Colonies, 109.
- Torrens, W. T. McCullagh, M.P., moves *vote of thanks to Duke of Manchester*, 33; Conference desires expression of different views, 33; duty of keeping the Empire together, 34; greed and luxury, 34; *On Facilities for Emigration*, 109; boundless territories, 110; old home farm of Empire, 110; obstacles to emigration, 110; prevention of poverty, 110; pauper emigrants, 111; cost to be borne by emigrant, England, and Colony, 111; families, 111; working people helping themselves, 112; area of Empire

and that of United States, 113; report of Emigration Commissioners, 113; don't say, send out any man, 113; Parliamentary trains, 113; surplus labourers, 114; exodus from 1848 to 1854, and since 1855, 114; Canada wants emigrants, 115; Tasmania and New Zealand importing foreigners, 115; hand down unbroken Empire, 116.

Trade following the flag, 25.

Tropics, white labour in the.

See West Indies.

United States, relation of Territories to, 13; Adam Smith's plan of alliance with, 27; their union, 89; growth of, 81, 90; population of, 90; area, 113; Homestead Act, 107; tenure of land, 170.

Unity of the Empire desired, 3, 74.

— — — — — must never be broken, 23, 116.

— — — — —, duty to maintain it, 34.

— — — — —, closer, 36, 37.

— — — — —, indestructible elements of, in Colonies, 43; pressure of bonds of, 83.

— — — — — of race, 89, 158.

Verey, Joseph, *Remarks on Colonial Office*, 192.

Veto by Imperial Government, 20, 47, 52, 129.

Victoria, growth of, 90.

Wakefield, principle, 149.

War. See Peace or war.

Waste lands, satisfactory settlement of colonial waste-land question. See Abraham, Augustus B.

— — — — —, control of, in Colonies, 35, 49, 50, 51, 52, 87, 143, 150, 155, 165, 163, 169,

170; Mr. Gladstone quoted, 143.

Waste lands set apart for emigration, 50, 51, 108.

— — — — —, discussion of, settlement, 149, 150, 151.

— — — — —, Mr. Roebuck's suggestion, 150.

— — — — —, committee of Privy Council, 151, 163.

— — — — —, Sir J. Pakington's despatch, 155.

— — — — —, purchases from aborigines, 160.

— — — — —, a local question, 165, 168, 170.

— — — — —, value of improved, 171.

Watts, H. E., *Remarks on Colonies and Colonial Governments*, 50; control of waste lands, 50; lands set aside to encourage emigration, 50; importation of Polynesians and Coolies, 50; Coolies in the Mauritius, 51; *Remarks on Coloured Labour in British Colonies*, 135; Colonies unjustly charged, 135; no abuse in Queensland, 135; labourers in English brickfields, 135; Queensland employers, 135; *Remarks on Colonial Office*, 193; diplomatic minister, 193.

West Indies, labour in, 136, 137.

— — — — — suitable for white men, 136, 137, 138, 139.

— — — — —, population to area, 137.

Whalley, G. H., M.P., *Remarks on Imperial and Colonial Federalism*, 87; waste lands, 88; *Remarks on Emigration*, 119; on *Colonial Waste Land Question*, 171; question turned on whether Colonies should have management of their own affairs, 171; *moves that Committee be continued*, 197; seconds vote of thanks at close of Conference, 198.



- Wilson, Edward, *Remarks on Imperial and Colonial Federalism*, 86; question of federal government urgent, 86; diplomatic representatives from Colonies, 87; waste lands handed over to Colonies, 87; colonial members in British Parliament, 87; occupying itself with vestry questions, 87.
- Wolff, Sir H. Drummond, *On the Colonial Office, its Constitution and Administration*, 182; permanent officers, 183; Sir Henry Taylor's influence on colonial policy, 183; importance of duties, 183; means of giving Colonies confidence in administration, 183; old administration of Colonies, 184; number of secretaries of State, 184; their subordinates, 184; local knowledge and generalisation, 185; colonial governors, 185; their qualifications, 186; a depot for colonial functionaries, 187, resources of office, 187; social position of Colonists in England, 188; it should be a link with Colonies, 188; steps to adopt it, 188; interchange of functionaries with Colonies, 188, 190; composition of Colonial Office, 188; giving under-secretaries rank with governors, 189; principle of diplomatic service, 190; a Colonial Council, 190; value of Colonial Office, 191; defects, 191; *In Reply*, 196; Council of Advice, 196; Federal Council, 196.
- Wood, Dennistoun, *Remarks on Simple Methods of Land Transfer*, 69; paper not suitable to Conference, 69; working of Act in Colonies and in England, 69; statistics, 69; *Remarks on Imperial and Colonial Federalism*, 89; effect of delay, 89; growth of Victoria and of United States, 90; federation desirable, 90; *Remarks on Colonial Waste Land Question*, 171; value of lands improved by people settled upon them, 171.
- Youl, J. A., *Remarks on Colonies as Food Stores for Great Britain*, 182; quality of meat imported, 182; that prepared by Mr. Jones, 182; without bone, 182; rewards, 182.
- Young, Frederick, moves *vote of thanks to Mr. Jenkins*, 29; advantage of possessing Colonies, 29; ships, Colonies, and commerce, 29; *Remarks on Imperial and Colonial Federalism*, 90; public mind in England and Colonies on question, 90; lands given up by England, 91; difficulties of federation surmountable, 91; *Remarks on Facilities for Emigration*, 116; sending out paupers and best artisans, 116; technical education, 116; mail steamers, 117; equalisation of rates of passage, 117.

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